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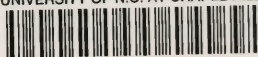
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1876-77

Senate



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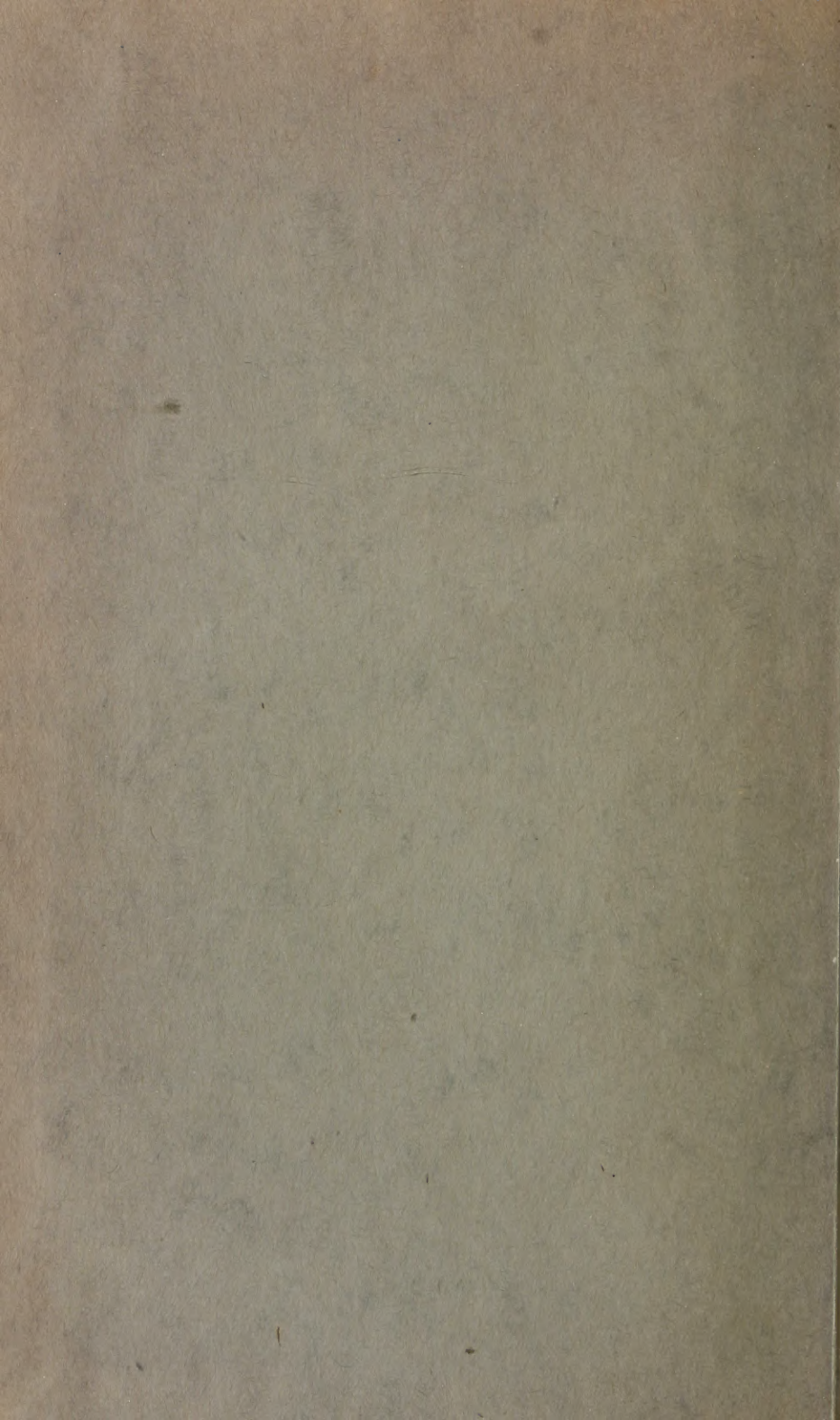
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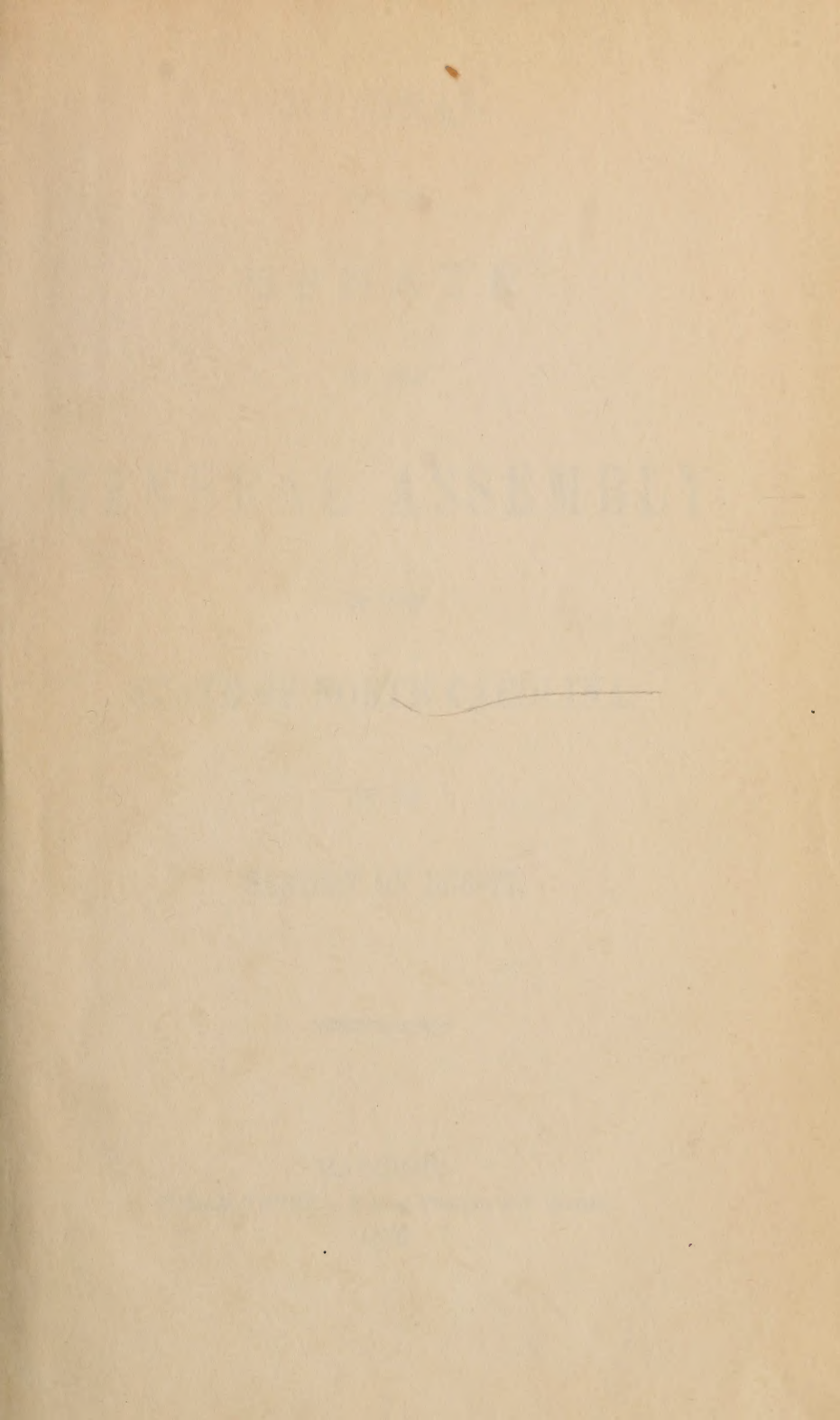
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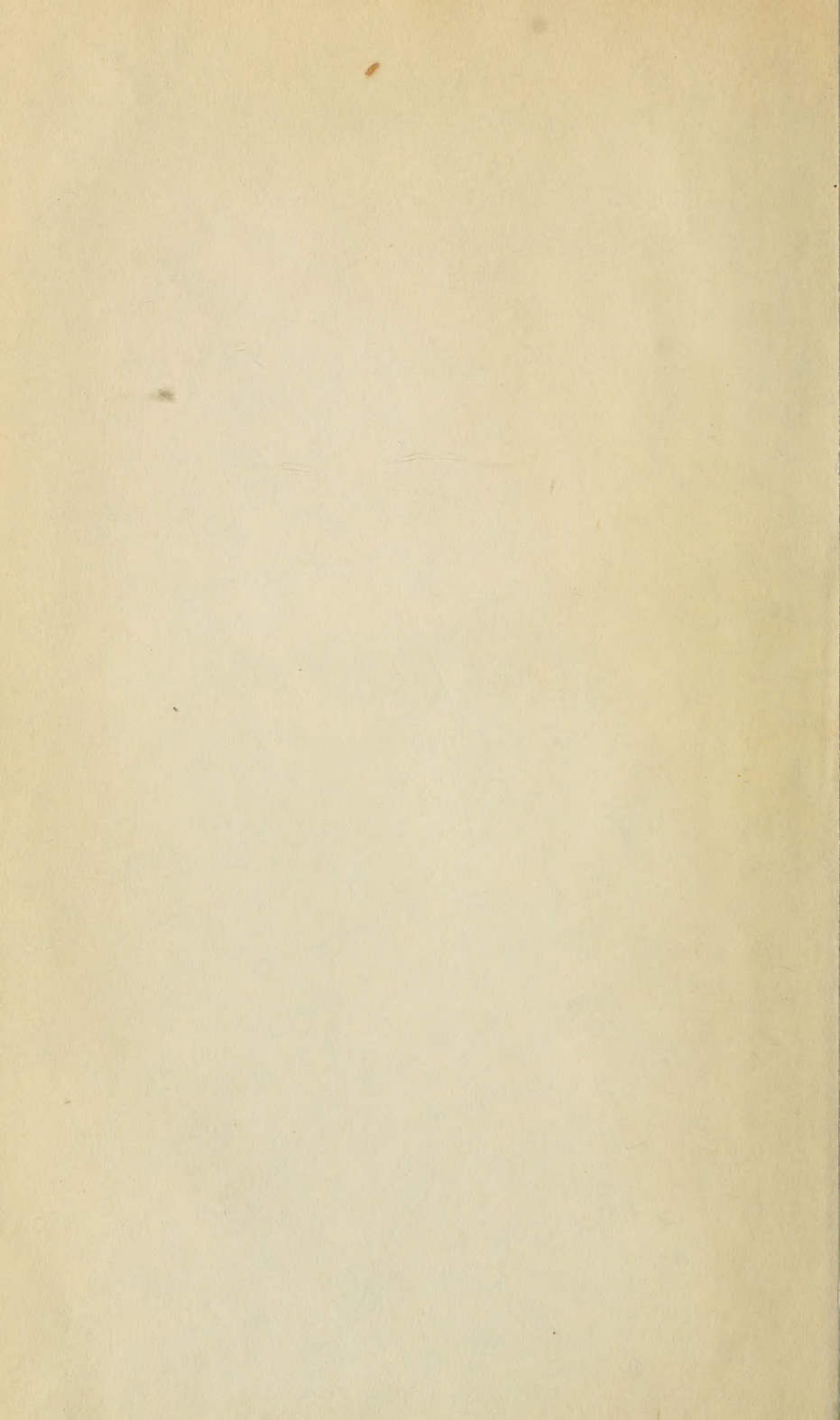












JOURNAL  
OF THE  
SENATE  
OF THE  
GENERAL ASSEMBLY  
OF THE  
STATE OF NORTH CAROLINA,  
AT ITS  
SESSION OF 1876-'77.

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RALEIGH:  
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# SENATE JOURNAL,

*SESSION 1876-'77.*

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## FIRST DAY

MONDAY, November 20, 1876.

In pursuance of Article second, section second, of the Constitution of North Carolina, the General Assembly of North Carolina convened at the Capitol in the City of Raleigh, on this the 20th day of November, in the year of our Lord one thousand, eight hundred and seventy-six, according to law.

The Senate was called to order at 12 M., by Johnstone Jones, Secretary to the last Senate.

The roll of Districts was called and the following Senators presented their certificates and were duly sworn in:

1st District, Octavius Coke, W. C. Mercer.

2d     "     Chas. Latham, W. T. Caho.

3d     "     G. A. Mebane.

4th    "     John Bryant.

5th    "     W. P. Mabson.

6th    "     J. B. Stickney.

7th    "     H. G. Williams, N. W. Boddie.

8th    "     George Green.

9th    "     Benjamin Askew.

10th   "     J. D. Stanford, I. F. Dortch.

11th   "     W. W. Dunn.

12th   "     W. H. Moore.



13th	Dist.,	J. N. Bennett.
14th	"	J. L. Stewart.
15th	"	H. B. Short.
16th	"	W. C. Troy.
17th	"	L. R. Waddell.
18th	"	Robert W. Wynne.
19th	"	J. Williams Thorne.
20th	"	J. W. Cunningham, J. W. Graham.
21st	"	
22d	"	W. G. Albright.
23d	"	W. A. Mebane.
24th	"	T. M. Holt, J. I. Scales.
25th	"	M. S. Robbins.
26th	"	H. C. Dockery.
27th	"	E. R. Liles.
28th	"	L. G. Heilig.
29th	"	T. J. Moore.
30th	"	W. H. Crawford.
31st	"	B. B. Roberts.
32d	"	T. J. Wilson.
33d	"	J. G. Marler.
34th	"	
35th	"	H. Bingham.
36th	"	G. N. Folk, C. F. Young.
37th	"	
38th	"	R. W. Sandifer.
39th	"	M. H. Justice.
40th	"	T. D. Johnston.
41st	"	G. S. Ferguson.
42d	"	J. L. Robinson.

The Clerk declared a quorum present and the election of presiding officer next in order.

Mr. Dortch nominated Hon. J. L. Robinson, of Macon.

Mr. Dockery nominated Hon. Geo. Green, of Craven.

The Senate proceeded to vote, as follows :

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her former credit and reputation; and with the changes in our organic system, so recently ratified by a large majority of our people, if we can place our citizens again on the highway to prosperity, it will be a proud day in the not far off future, when we can point to a State growing in material



wealth, and each year growing greater and greater in the ennobling qualities that adorn a people who cultivate the civilizing influences of peace and virtue. Thanking you, gentlemen, for this distinguished compliment, I announce the Senate ready to proceed in its organization.

The election of Secretary of the Senate was next in order.

Mr. Troy nominated R. M. Furman, of Asheville.

Mr. Dunn nominated J. W. King, of New Hanover.

The vote was,

FOR MR. FURMAN:—Messrs. Askew, Albright, Boddie, Bennett, Bingham, Coke, Cunningham, Crawford, Dortch, Folk, Ferguson, Graham, Holt, Heilig, Justice, Johnston, Latham, Liles, Mercer, Mebane of Rockingham, Marler, Moore of Mecklenburg, Robbins, Roberts, Robinson, Scales, Stickney, Stanford, Stewart, Short, Sandifer, Troy, Williams, Waddell, Wilson and Young—36.

FOR MR. KING:—Messrs. Bryant, Dockery, Dunn, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—7.

Mr. Furman was declared elected Secretary of the Senate.

The Senate then proceeded to elect an Assistant Secretary.

Mr. Cunningham nominated Mr. Peter M. Wilson.

Mr. Dockery nominated Mr. O. J. Spears, of Harnett.

The vote was,

MR. WILSON:—Messrs. Askew, Albright, Boddie, Bennett, Bingham, Coke, Cunningham, Crawford, Dortch, Folk, Ferguson, Graham, Holt, Heilig, Justice, Johnston, Latham, Liles, Mercer, Mebane of Rockingham, Marler, Moore of Mecklenburg, Robbins, Roberts, Robinson, Scales, Stickney, Stanford, Stewart, Short, Sandifer, Troy, Williams, Waddell, Wilson and Young—36.

FOR MR. SPEARS:—Messrs. Bryant, Dockery, Dunn, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—7.

Mr. Wilson was declared elected Assistant Secretary of the Senate.

The Secretary and Assistant Secretary were sworn in by the President.

Mr. Troy offered the following resolution, which was adopted:

*Resolved*, That a committee of three be appointed to prepare and submit *Rules of Order*, for the government of the Senate, and until such report be made, the Senate adopt the rules of the session of 1872.

On motion of Mr. Stanford, the Senate adjourned until tomorrow at 10 o'clock.

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## SECOND DAY.

SENATE CHAMBER, November 21, 1876.

The Senate met pursuant to adjournment, Mr. President Robinson in the chair.

The Journal of yesterday was read and approved.

Regular call of morning hour was postponed, that the Senate might complete its organization.

Messrs. Caho, Nicholson and York presented their credentials, and were duly qualified.

Mr. Johnston moved that the Senate do now proceed to elect Engrossing Clerk, and put in nomination the name of Mr. J. McLeod Turner, of Buncombe, and the Senate proceeded to vote, as follows:

FOR MR. TURNER:—Mr. President, Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig,



Holt, Johnston, Justice, Latham, Liles, Marler, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson, York and Young—39.

Mr. Moore of New Hanover voted for Mr. Thorne.

Mr. Turner was declared duly elected.

The election of Principal Doorkeeper was next in order.

H. C. Brock and J. P. Rogers were nominated, and the Senate proceeded to vote, as follows:

FOR MR. BROCK:—Mr. President, Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Marler, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson, York and Young—40.

FOR MR. ROGERS:—Messrs. Bryant, Dockery, Mabson, and Mebane of Bertie—4.

Mr. Brock was declared duly elected.

The Senate proceeded to elect an Assistant Doorkeeper.

Mr. Mebane of Rockingham nominated Mr. J. T. Roach.

Mr. Mabson nominated Mr. Johnston.

FOR MR. ROACH:—Mr. President, Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Marler, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson, York and Young—40.

FOR MR. JOHNSTON:—Messrs. Bryant, Dockery, Mabson, Mebane of Bertie and Thorne—5.

Mr. Roach was declared duly elected.

Messrs. Brock and Roach came forward, took the oath, and entered upon their duties.

On motion of Mr. Scales, a message was sent to the House of Representatives informing that body that the Senate had organized and was ready for the transaction of business.

A message was received from the House of Representatives informing the Senate that that body organized yesterday and was ready for the dispatch of business.

A message was received from the House of Representatives informing the Senate that the following gentlemen were appointed the House branch of the joint committee to wait upon his Excellency, the Governor, to inform him of the organization and its readiness to receive communications from him: Messrs. Carter of Hyde, Rose of Cumberland and Bagley of Perquimans.

The Senate appointed Messrs. Coke and Dockery as the Senate branch of the joint committee.

Mr. Coke, Chairman of the Committee to wait upon His Excellency, the Governor, reported that His Excellency would communicate with the Senate at 12 m.

A message was received from the House of Representatives informing the Senate that they would proceed at 12 m., to count the vote for Governor, Lieut. Governor, Auditor, Treasurer, Superintendent of Public Instruction, Secretary of State, and respectfully asked the presence of the Senate. Also that the House had passed H. B. No. 1, and ordered the same to be transmitted to the Senate without engrossment, and ask the concurrence of the Senate therein, which bill was read and placed upon the calendar.

On motion the rules were suspended and the bill taken from the calendar and read second and third times and passed.

The President appointed the following gentlemen as a committee on *Rules of Order* for the government of the Senate: Messrs. Troy, Graham and Dockery.



The following named resolutions were introduced and placed on the calendar:

By Mr. Mebane of Rockingham, S. R. No. 2: Resolution in relation to the public debt.

By Mr. Mebane of Rockingham, resolution on adjournment.

By Mr. Finger, S. R. No. 8: Resolution relative to the pay of the members of the General Assembly.

By Mr. Albright, S. R. No. 9: Resolution relative to the per diem of members.

The following bills were introduced and placed on the calendar:

By Mr. Finger, S. B. No. 1: A bill to be entitled an act to repeal Chapter 84, public laws of 1874-'75, and to regulate the rates of interest.

By Mr. Mebane of Rockingham, S. B. No. 3: An act in relation to per diem and mileage.

By Mr. Mebane of Rockingham, S. B. No. 5: An act to amend an act entitled "An Act to incorporate the Dan River Navigation Company, ratified the 19th March, 1875.

By Mr. Latham, S. B. No. 6: A bill to extend the time of the Sheriffs of Beaufort, Pitt and Pamlico to settle with the Public Treasurer.

By Mr. Bingham, S. B. No. 7: An act for the relief of John R. Wyatt, sheriff of Alleghany county.

By Mr. Folk, S. B. No. 10: Bill to amend sec. 26, chap. 62, Battle's Revisal.

On motion of Mr. Sandifer, all of the first section of S. B. No. 10, after the word "organized" was stricken out, and upon the suspension of the rules, the bill was put upon its several readings and passed.

Pending Mr. Albright's resolution in regard to the per diem, it being the hour of 12, the Senate proceeded in a body to the Hall of the House of Representatives, where a joint session was held, a record of the proceedings of which

will be found in the Journal of that body for this day, and the joint session having been adjourned, the Senate returned to its own Chamber.

Senator Green of Craven was sworn in.

On motion of Mr. Stanford, the bill introduced by Senator Finger, S. B. No. 1, was taken from the calendar and ordered to be printed.

The Senate, upon motion of Mr. Scales, took a recess until 3:15 o'clock.

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3:15 P. M.

The Senate met pursuant to adjournment.

A message was received from the House of Representatives transmitting the message of his Excellency, the Governor, with a proposition to print.

The proposition was concurred in and the usual number of copies ordered to be printed.

Mr. Holt rose to a point of order, that the hour had arrived for the joint session of the Senate and House of Representatives, whereupon the Senate took a recess and proceeded in a body to the Hall of the House of Representatives, and the joint session having been adjourned, the Senate returned to its own Chamber, and on motion of Mr. Mebane of Rockingham, the Senate adjourned until to-morrow morning at 10 o'clock.



## THIRD DAY.

SENATE CHAMBER, November 22, 1876.

The Senate met pursuant to adjournment, Mr. President Robinson in the chair.

Upon motion of Mr. Albright, the reading of the Journal was dispensed with.

Upon motion of Mr. Coke, leave of absence was granted to Senator Wilson until Monday, the 26th inst.

Mr. Hughes of Granville presented his credentials and was sworn in.

The following resolutions were offered and placed on the calendar:

By Mr. Troy, S. R. No. 12: Resolution proposing to raise a joint committee on *Rules of Order*.

By Mr. Albright, S. R. No. 13: Resolution of instruction to the Secretary of State.

Upon motion of Mr. Troy, a message was sent to the House of Representatives informing that body that the Senate would, upon the return of the messenger, repair to the Hall of the House, pursuant to adjournment on yesterday, for the purpose of completing the counting of the vote for Governor, &c.

The joint session having adjourned, the Senate returned to its own Chamber.

On motion of Mr. Albright, S. R. No. 9: In relation to per diem and mileage, was taken from the calendar.

Mr. Mebane of Rockingham offered a substitute for the entire bill, which was accepted and put upon its second reading.

Mr. Graham called the previous question, which was sustained by the Senate.

On motion of Mr. Albright, the ayes and nays were or-



dered and the bill passed its second reading by 44 ayes and 1 nay, as follows:

*Affirmative*—Mr. President, Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Folk, Green, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Marler, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Bobbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wynne and York—44.

*Negative*—Mr. Mabson—1.

The bill was then read the third time, and passed by ayes 45, nays 1, as follows:

*Affirmative*—Mr. President, Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Marler, Mebane, of Rockingham, Mercer, Moore, of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wynne and York—45.

*Negative*—Mr. Mabson—1.

And ordered to be engrossed forthwith and sent to the House of Representatives.

A message was received from the House of Representatives asking the concurrence of the Senate to print 220 copies of the message of his Excellency, the Governor, and accompanying documents, which, upon motion of Mr. Troy, was concurred in.

Mr. Troy moved to suspend the rules and take from the calendar S. R. No. 9, "to raise a joint committee on rules," which motion passed, and the following gentlemen were appointed as Senate branch of said committee: Messrs. Troy, Graham and Dockery.

Mr. Albright moved to take from the calendar S. R. No. 13, resolution instructing the Secretary of State, which motion prevailed, and the resolution passed its several readings, and ordered to be sent to the Secretary of State.

On motion of Mr. Williams, a message was sent to the House of Representatives proposing to go into election of Enrolling Clerk of the General Assembly.

A message was received from the House of Representatives concurring in the proposition of the Senate, and that the following gentlemen were in nomination: Mr. Richard Granger and Mr. Martin V'B. Gilbert.

The Chair having designated Messrs. Latham and Green on the part of the Senate to superintend the election,

Mr. Latham nominated Mr. Richard Granger.

Mr. Green nominated Mr. Martin Van Buren Gilbert.

The Senate then proceeded to vote, as follows:

FOR MR. GRANGER:—Mr. President, Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Marler, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Troy, Waddell, Williams and York—38.

FOR MR. GILBERT:—Messrs. Bryant, Dockery, Dunn, Green, Hughes, Mabson, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—10.

Pending this election, on motion of Mr. Crawford, the Senate adjourned till to-morrow at 10 o'clock.



## FOURTH DAY.

SENATE CHAMBER, November 23, 1876.

Senate met pursuant to adjournment. Mr. President Robinson in the chair.

The Journal of yesterday was read and approved.

Mr. Stickney presented a petition from the sheriff of Beaufort county, with bill, S. B. No. 15, a bill for the relief of F. J. Satchwell, sheriff of Beaufort county, which was read the first time and placed upon the calendar.

Mr. Latham, from the committee on the election of Enrolling Clerk, reported as follows:

Whole number of votes cast, 153; necessary to a choice, 77; of which Mr. Richard Granger received 113; Mr. Martin V'B. Gilbert, 40. Mr. Granger was declared elected.

Mr. Troy, on Joint Rules, submitted the following report:

## SENATE RULES OF ORDER.

## ORDER OF BUSINESS.

1. The President having taken the chair at the hour to which the Senate shall have adjourned, and a quorum being present, the Journal of the preceding day shall be read, to the end that any mistakes therein may be corrected.

2. After the reading and approval of the Journal, the order of business shall be as follows:

1. The Presentation of Petitions.

2. Reports of Standing Committees.

3. Reports of Select Committees.

4. Messages from the Governor.

5. Communications and Reports from State Officers.

6. Messages from the House of Representatives.

7. Introduction of Bills and Resolutions requiring three readings.

8. Motions and Senate Resolutions, and concurrent Resolutions that do not require three readings.

9. Unfinished Business of preceding day.

10. Special Orders.

11. General Orders: first, bills and resolutions on third reading; second, bills and resolutions on second reading; but messages from the Governor and House of Representatives, and communications and reports from State officers, and reports from the Committees on Engrossed Bills and Enrolled Bills may be received and acted on under any order of business.

3. The President shall appoint all committees, unless otherwise ordered by the Senate.

4. He shall have the right to name any member to perform the duties of the Chair, who is hereby vested, during such time, with all the powers of the President, except that of giving the casting vote in case of a tie, when he shall have voted as a Senator; but his power as such substitute shall not continue for a longer period than two days without leave of the Senate.

5. He shall assign the Doorkeepers their respective duties and stations.

#### OF THE CLERK.

6. The President and Clerk of the Senate shall see that all bills shall be acted upon by the Senate in the order in which they stand upon the calendar, unless otherwise ordered as hereinafter provided. The calendar shall include the number and title of bills and joint resolutions which have passed the House of Representatives and been received by the Senate for concurrence.



7. He shall certify the passage of bills by the Senate, with the date thereof, together with the fact whether passed by a vote of three-fifths or two-thirds of the Senate whenever such vote may be required by the Constitution or laws of this State.

8. He shall transmit such bills as shall have originated in the Senate and been passed by both Houses, to the Secretary of State, and enter the same on the Journal.

#### OF THE RIGHTS AND DUTIES OF SENATORS.

9. Every Senator presenting a paper shall indorse the same; if a petition, memorial, or report to the General Assembly, with a brief statement of its subject or contents, adding his name; if a resolution, with his name; if a report of a committee, a statement of such a report, with the name of the committee and member making the same; if a bill, a statement of its title, with his name.

10. All motions shall be reduced to writing if desired by the President or any Senator, delivered in at the table and read by the President or Clerk, before the same shall be debated; but any such motion may be withdrawn at any time before decision or amendment.

11. If any question contains several distinct propositions, it shall be divided by the President, at the request of any Senator; *provided* each sub-division, if left to itself, shall form a substantive proposition.

12. No member shall speak to another, or otherwise interrupt the business of the Senate, or read any newspaper while the Journals or public papers are being read; when the President is putting a question, or a division by counting shall be had, no Senator shall walk out of or across the house, nor when a Senator is speaking, pass between him and the President.

13. Every Senator wishing to speak or debate, or to pre-

sent a petition or other paper, or to make a motion or report, shall rise from his seat and address the President, shall not proceed further until recognized by him. No Senator shall speak more than twice on the same day on the same subject without leave of the Senate; and when two or more Senators rise at once, the President shall name the Senator who is first to speak.

14. Every Senator who shall be within the bar of the Senate when a question is stated by the Chair, shall vote thereon unless he shall be excused by the Senate, or unless he be directly interested in the question: and the bar of the Senate shall include so much of the body of the Senate Chamber as is within the columns.

15. When a motion to adjourn or for a recess shall be affirmatively determined, no member or officer shall leave his place till the adjournment or recess shall be declared by the President.

#### STANDING COMMITTEES.

16. Standing committees, consisting, unless otherwise ordered, of seven members, shall be appointed by the President on the following subjects:

1. On Propositions and Grievances.
2. On Privileges and Elections.
3. On Claims.
4. On Judiciary.
5. On Internal Improvements.
6. On Education.
7. On Military Affairs.
8. On Agriculture, Mechanics and Mining.
9. On Banks and Currency.
10. On Corporations.
11. On Finance.
12. On Insurance.
13. On Penal Institutions.
14. On County Governments.



## COMMITTEE ON ENGROSSED BILLS.

17. A Standing Committee on Engrossed Bills, to consist of three or more Senators, shall also be appointed by the President.

18. The Committee on Engrossed Bills shall examine all bills, amendments and resolutions before they go out of the possession of the Senate, and make report when they find them correctly engrossed.

19. Every report of the Committee upon a bill or resolution which shall not be considered at the time of making the same or laid on the table by a vote of the Senate, shall stand upon the General Orders with the bill or resolution.

## OF GENERAL ORDERS AND SPECIAL ORDERS.

20. The matters not referred to any committee shall be placed on the list of General Orders, and the business of the General Orders shall be taken up as follows, viz: The Clerk shall announce the title of each bill, with the printed number, or other matter as it shall be reached in its order, when it may be taken up on the motion of any Senator, without the putting of any question therefor; but if not so moved, it shall lose its preference for the day.

21. Any bill or other matter may be made a Special Order for a particular day or hour by a vote of a majority of the Senators voting, and if it shall not be completed on that day, it shall be returned to its place in the General Orders, unless it shall be made a Special Order for another day; and when a Special Order is under consideration it shall take precedence of any Special Order for a subsequent hour of the same day; but such subsequent Order may be taken up immediately after the previous Special Order has been disposed of.

## OF BILLS.

22. Every bill shall be introduced by motion for leave or on the report of a committee, or by message from the House of Representatives.

23. When a bill shall be reported by a committee, and not otherwise disposed of, the question shall be, "Shall the report be received?" and when the report of such committee shall be received, and the bill not otherwise disposed of, the bill shall be placed upon the calendar.

24. Every bill shall receive three readings previous to its being passed, and the President shall give notice at each, whether it be the first, second or third. After the first reading, unless a motion shall be made by some Senator, it shall be the duty of the President to refer the subject matter to an appropriate committee. No bill shall be amended until it shall have been twice read.

25. The question on the final passage of every bill shall be taken by yeas and nays, which shall be entered on the Journal, and unless the bill receive the number of votes required by the Constitution to pass it, it shall be declared lost, if a constitutional quorum or the number necessary to pass such a bill be present and voting.

## PROCEEDINGS WHEN THERE IS NOT A QUORUM VOTING.

26. If, on taking the final question on a bill, it shall appear that a constitutional quorum is not present, or if the bill require a vote of a certain proportion of all the Senators to pass it, and it appears that such a number is not present, there shall be a call of the Senate, and if a quorum is ascertained to be present, the bill shall be again read and the final question taken thereon; if the bill fail a second time for the want of a quorum, or for the want of the necessary number being present and voting, the bill shall not be



finally lost, but shall be returned to the calendar in its proper order.

#### PRECEDENCE OF MOTIONS.

27. When a question is before the Senate, no motions shall be received, except those herein specified; which motions shall have precedence as follows, viz:

1. For an Adjournment.
2. For the Previous Question.
3. For a Recess.
4. To Lay on the Table.
5. To Postpone Indefinitely.
6. To Postpone to a Day Certain.
7. To Commit to a Standing Committee.
8. To Commit to a Select Committee.
9. To Amend.

#### THE PREVIOUS QUESTION.

28. The previous question shall always be as follows: "Shall the main question be now put?" and until it is decided shall preclude all debate. If this question shall be decided in the affirmative, the "main question" shall be on the passage of the bill, resolution or other matter under consideration; but when amendments are pending the question shall be first taken upon such amendments in their order without further debate. If such question be decided in the negative, the main question shall be considered as remaining under debate.

#### OTHER QUESTIONS TO BE TAKEN WITHOUT DEBATE.

29. The motions to adjourn and lay on the table shall be decided without debate, and the motion to adjourn shall

always be in order when made by a Senator entitled to the floor.

30. The respective motions to postpone to a day certain, or commit, shall preclude debate on the main question.

31. All questions relating to the priority of business shall be decided without debate.

32. When the reading of a paper is called for, except petitions, and the same is objected to by any Senator, it shall be determined by a vote of the Senate, without debate.

33. Any Senator requesting to be excused from voting may make, either immediately before or after the vote shall have been called, and before the result shall have been announced, a brief statement of the reasons for making such request, and the question shall then be taken without debate.

34. No bill or resolution upon its second reading shall be acted upon out of the regular order in which it stands upon the calendar unless so ordered by a vote of two-thirds of the members present.

35. No bill or resolution on its third reading shall be acted on out of the regular order in which it stands on the calendar, and no bill or resolution shall be acted upon on its third reading the same day on which it passed its second reading, unless so ordered by a vote of two-thirds of the Senators present.

36. No bill or resolution shall be presented from the Senate on the day of its passage, except on the last day of the session, unless by a vote of two-thirds of the Senators present.

#### DECORUM IN DEBATE.

37. No remark reflecting personally upon the action of any Senator shall be in order in debate, unless preceded by a motion or resolution of investigation or censure.

38. When a Senator shall be called to order, he shall take



his seat until the President shall have determined whether he was in order or not; if decided to be out of order, he shall not proceed without the permission of the Senate, and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator, and if a Senator be called to order for words spoken, the exceptional words shall be immediately taken down in writing, that the President or Senate may be better enabled to judge of the matter.

#### MISCELLANEOUS RULES.

39. When a blank is to be filled and different sums or times shall be proposed, the question shall be first taken on the highest sum or the longest time.

40. When a question has been once put and decided, it shall be in order for any Senator who shall have voted in the majority, to move a reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after the bill, resolution, message, report, amendment or motion, upon which the vote was taken, shall have gone out of the possession of the Senate.

Nor shall any motion for reconsideration be in order unless made on the same day, or the next following legislative day on which the vote proposed to be reconsidered shall have taken place.

Nor shall any question be reconsidered more than once.

41. All concurrent resolutions originating in the Senate, and that do not require three readings, shall lie on the table at least one day.

42. Any Senator introducing a bill to amend a law, shall repeat in said bill the section as it will stand if the proposed amendment be adopted.

43. No smoking shall be allowed within the Senate chamber during the sessions.

44. Senators and visitors shall uncover their heads upon entering the Senate Chamber while the Senate is in session, and shall continue uncovered during their continuance in the chamber.

45. No Senator or officer of the Senate shall depart the service of the Senate without leave, or secure pay as a Senator or officer for the time he is so absent without leave.

46. No person other than the Executive and Judicial officers of the State, members and officers of the Senate and House of Representatives, unless on invitation of the President, or by a vote of the Senate, shall be admitted within the bar.

47. No rule of the Senate shall be altered, suspended or rescinded without a vote of a majority of all the Senators elected; and no motion to suspend shall embrace more than one rule or relate to any other subject than the one specified in said motion.

48. In case a less number than a quorum of the Senate shall convene, they are hereby authorized to send the door-keeper or any other person, for any or all absent Senators, as the majority of Senators present shall determine.

49 The yeas and nays upon any question shall be taken and entered upon the Journal upon demand of one-fifth of the Senators present.

Which report was adopted, and one hundred copies of Senate Rules ordered to be printed.

Mr. Troy moved to print two hundred copies of Joint Rules of Order, which was adopted, and a message sent to the House asking their concurrence therein.

The following named Bills and Resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Stickney, S. B. No. 15: A Bill for the relief of F. J. Satchwell, Sheriff of Beaufort county, which was read first time and placed on calendar.



By Mr. Moore of New Hanover, S. B. No. 16: A Bill entitled an act to incorporate the Laborers' Union, of Wilmington, N. C., which was referred to Committee on Propositions and Grievances.

By Mr. Latham, S. R. No. 17: A Resolution as to who shall be employees of the General Assembly, and proposing to raise a Joint Select Committee of three on the part of the Senate and five on the part of the House. Calendar.

By Mr. Sandifer, S. B. No. 18: An Act to amend Sub-Sec. No. 9, of Sec. 34, Chap. 17, Battle's Revisal. Referred to Committee on Judiciary.

By Mr. Williams, S. B. No. 19: An Act to extend the time of settlement of taxes of the Sheriffs of Franklin, Nash, Wilson and Duplin. Calendar.

Mr. Latham asked the suspension of the rules and that S. R. No. 17 be taken from the Calendar and placed upon its passage, which motion was adopted.

The resolution was read and adopted and ordered to be sent to the House of Representatives forthwith without engrossing.

Mr. Williams moved the suspension of the rules to take up S. B. No. 19, for the relief of the Sheriffs of Franklin, Nash, Wilson and Duplin, which motion did not prevail.

On motion of Mr. Mebane of Rockingham, S. R. No. 3, introduced by himself, was taken from the calendar and indefinitely postponed.

Mr. Mebane of Rockingham moved that S. R. No. 2, in relation to the Public Debt, be taken up under suspension of the rules. Motion prevailed. Resolution was read and passed and ordered to be engrossed and sent to the House of Representatives.

On motion of Mr. Finger, S. B. No. 1, A Bill to repeal Chap. 84, Pub. Laws of 1874 and 1875, was taken from the calendar and referred to the Committee on Banks and Currency.

Various Bills and Resolutions on the calendar were taken up and passed over at the request of Senators.

On motion of Mr. Green, the Senate adjourned till to-morrow at 10 o'clock.

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### FIFTH DAY.

SENATE CHAMBER, November 24, 1876.

Senate met at 10 o'clock, President Robinson in the chair. The Journal of yesterday was read and approved.

The President announced the following Standing Committees :

*Judiciary.*—Messrs. Folk, Wilson, Coke, Graham, Robbins, Scales and Green.

*Engrossed Bills.*—Messrs. Waddell, Stewart and York.

*Internal Improvements.*—Messrs. Johnston, Moore of Mecklenburg, Short, Stanford, Latham, Justice and Dockery.

*Finance.*—Messrs. Graham, Holt, Latham, Troy, Ferguson, Robbins and Green.

*Privileges and Elections.*—Messrs. Crawford, Sandifer, Askew, Williams, Young and Hughes.

*Claims.*—Messrs. Marler, Finger, Heilig, Stewart, Bennett, Caho, and Moore of New Hanover.

*Propositions and Grievances.*—Messrs. Dortch, Albright, Bingham, Boddie, Roberts, Dunn and Mabson.

*Education.*—Messrs. Finger, Stickney, Heilig, Troy, Nicholson, Mebane of Rockingham and Bryant.

The President appointed the following gentlemen as the Senate Branch of the Joint Standing Committee on Enrolled Bills :

Messrs. Moore of Mecklenburg, Bennett and Dockery.



By Mr. Liles: A memorial to amend the charter of the town of Polkton. Referred to Committee on Propositions and Grievances.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of as follows:

By Mr. Moore of New Hanover: S. B. No. 20, a bill to incorporate the First Ward Bucket Company, of the city of Wilmington. Referred to Committee on Propositions and Grievances.

By Mr. Crawford: S. B. No. 21, a bill to amend section 29, chapter 65, Battle's Revisal. Referred to Judiciary Committee.

By Mr. Ferguson: S. B. No. 22, a bill for the relief of purchasers of certain lands in Clay county. Referred to Committee on Propositions and Grievances.

By Mr. Johnston: S. B. No. 24, Resolution of instruction to Judiciary Committee. Placed on the Calendar.

By Mr. Cunningham: S. R. No. 25, Resolution concerning opening the Senate with prayer. Placed on the Calendar.

By Mr. Liles: S. R. No. 26, resolution instructing Judiciary Committee. Placed on the Calendar.

On motion of Mr. Stickney, S. B. No. 15, a bill for the relief of F. J. Satchwell, sheriff of Beaufort county, was taken from the Calendar and, under a suspension of the rules, passed second reading.

On motion of Mr. Latham, the rules were suspended and the bill placed on its third reading, and was passed by the following vote:

*Affirmative.*—Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Folk, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Nicholson, Robbins, Roberts, Sandifer, Stickney,

Stewart, Short, Thorne, Troy, Waddell, Williams, York and Young—36.

*Negative*.—Messrs. Graham, Justice, Marler, Moore of Mecklenburg, Scales and Wynne—5.

On motion of Mr. Williams, S. B. No. 19, a bill to extend time of settling of sheriffs of Franklin, Nash, Wilson and Duplin, was taken from the Calendar and put upon its second reading.

Mr. Green moved to refer to Judiciary Committee, upon which Mr. Graham called for the yeas and nays, and the bill was so referred by the following vote:

*Affirmative*.—Messrs. Albright, Crawford, Cunningham, Dortch, Dockery, Dunn, Finger, Folk, Green, Graham, Holt, Hughes, Johnston, Justice, Mabson, Marler, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Robbins, Roberts, Sandifer, Scales, Stewart, Short, Troy and Wynne—27.

*Negative*.—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Ferguson, Heilig, Latham, Liles, Mercer, Nicholson, Stickney, Thorne, Waddell, Williams, York and Young—18.

On motion of Mr. Finger, S. R. No. 8, relating to the per diem of members of the General Assembly, was taken from the Calendar and postponed indefinitely.

On motion of Mr. Folk, S. B. No. 23, a bill to provide for the preservation of election returns, was taken from the Calendar, placed upon its second reading and passed.

On motion of Mr. Marler, the bill was placed on its third reading.

On motion of Mr. Stickney, the bill was amended by adding the word "also" in section 2, before the word "apply," which was adopted. The bill was then read the third time as amended, and passed with the following vote:

*Affirmative*.—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Docking, Dunn, Ferguson, Finger, Folk, Green, Graham, Heilig,



Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Marler, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wynne, York and Young. Ayes, 44. Nays, none.

On motion of Mr. Cunningham, the rules were suspended, and Resolution No. 25 was taken from the Calendar and put upon its several readings and passed. Resolution in favor of opening the Senate with prayer.

A message was received from the House of Representatives, notifying the Senate that the House had passed H. B. No. 9, a bill to validate election returns, and asked the concurrence of the Senate therein.

Upon motion of Mr. Graham, the rules were suspended, and the bill passed its second reading.

Upon motion of Mr. Graham, the rules were suspended, and the bill was put upon its third reading.

On motion of Mr. Robbins, the following amendment was added :

“That this bill shall take effect from and after its ratification.”

The bill was then read as amended, and passed by the following vote :

*Affirmative.*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Marler, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wynne and York—38.

*Negative.*—Messrs. Dockery, Dunn, Green and Mabson—4.

And was ordered to be sent back to the House forthwith, without engrossment, asking their concurrence in the bill as amended.

On motion of Mr. Holt, the Senate adjourned till to-morrow at 11 o'clock.

## SIXTH DAY.

SENATE CHAMBER, November 25, 1876.

The Senate met pursuant to adjournment, Mr. President Robinson in the chair.

The Journal of yesterday was read and approved.

## REPORTS OF STANDING COMMITTEES.

Mr. Graham, from Committee on Finance, reported a Statement of the Receipts and Disbursements of the Public Fund for the fiscal years ending September 30th, 1875 and September 30th, 1876, which was placed upon the Calendar.

Mr. Waddell, from the Committee on Engrossed Bills, reported Senate R. No. 2, and S. B. No. 15, as properly engrossed.

A message was received from the House of Representatives notifying the Senate that the House had concurred in the Senate amendment to H. B. No. 9, "A bill to validate election returns;" and had also concurred in S. R. No. 17, "A Resolution as to employees of the General Assembly."

The President appointed the following Senators as the Senate Branch of said Joint Committee under S. R. No. 17: Messrs. Latham, Williams and Dockery.

Mr. Albright introduced a bill, S. B. No. 27, "A bill to amend chap. 101, sec. 6, Battle's Revisal. Referred to Committee on Propositions and Grievances.

By. Mr. Dortch: A bill, S. B. No. 28, to amend sec. 2, chap. 18, Battle's Revisal, in relation to Summons. Read first time and referred to Committee on Judiciary.

By. Mr. Scales: A bill, S. B. No. 30, "to amend chap. 37, Battle's Revisal, concerning Divorce. Read first time and referred to Committee on Judiciary.



By Mr. Short: S. B. No. 31, a bill concerning mutual insurance companies incorporated under the laws of this State. Read first time and referred to Committee on Insurance.

By Mr. Moore of New Hanover: S. B. No. 32, a bill to incorporate the Hook and Ladder Company No. 2, of the city of Wilmington. Read first time and referred to Committee on Propositions and Grievances.

By Mr. Johnston of Buncombe: S. B. No. 33, a bill for the relief of Pinkney Rollins & Co. Read first time and referred to Committee on Propositions and Grievances.

By Mr. Justice: S. B. No. 34, a bill to amend chapter 237 of the laws of 1874-'75. Read first time and put upon the Calendar.

By Mr. Caho: S. B. No. 35, a bill to amend sections 35 and 39, chapter 102, Battle's Revisal. Read first time and referred to Committee on Finance.

By Mr. Sandifer: S. B. No. 36, a bill to amend chapter 68, Battle's Revisal. Read first time and referred to Committee on Education.

By Mr. Stewart: S. B. No. 37, a bill to repeal chapter 79 of the laws of 1871-'72, concerning the county of Sampson. Read first time and placed upon the Calendar.

By Mr. Robinson: S. B. No. 38, a bill for the relief of G. W. and B. K. Dickey. Read first time and placed upon the Calendar.

By Mr. Folk: S. B. No. 39, a bill to change the mode of paying solicitors. Read first time and referred to Committee on Judiciary.

By Mr. Folk: S. B. No. 40, a bill to alter the mode of paying solicitors. Read first time and referred to Committee on Judiciary.

By Mr. Mabson: S. B. No. 41, a resolution on the subject of an asylum for the colored insane. Read first time and placed upon the Calendar.

By Mr. Mabson : S. B. No. 42, a bill to provide for the colored insane of the State. Read first time and referred to Committee on Insane Asylum.

By Mr. Finger : S. R. No. 43, a resolution asking information from the Governor relative to Western North Carolina Railroad and the Western Insane Asylum, which was placed upon the Calendar.

Mr. Graham moved to take from the Calendar the report of the Finance Committee, submitted this morning, and that the same be ordered to be printed. Adopted.

By Mr. Troy : S. R. No. 44, a resolution of instruction to the Committee on County Government, which was placed upon the Calendar.

By Mr. Folk : S. B. No. 45, a bill to repeal an act ratified March 22, 1875. Read first time and referred to Committee on Judiciary.

On motion of Mr. Finger, the rules were suspended, and S. R. No. 43, a resolution asking certain information from the Governor was taken from the Calendar, read and adopted, ordered to be engrossed and a copy thereof sent to His Excellency, the Governor.

The President announced the following Standing Committees :

*On Banks and Currency.*—Messrs. Mebane of Rockingham, Marler, Ferguson, Dortch, Waddell, Wynne and Mabson.

*Senate Branch Joint Committee on Banks and Currency.*—Messrs. Mebane of Rockingham, Marler and Ferguson.

*Senate Committee on Insurance.*—Messrs. Short, Bingham, Cunningham, Johnston, Young, Mebane of Bertie, and Thorne.

*Senate Branch Joint Committee on Insurance.*—Messrs. Short, Bingham and Cunningham.

*Senate Committee on Penal Institutions.*—Messrs. Troy, Wilson, Heilig, Roberts, Ferguson, Dockery and Bryant.



*Senate Branch Joint Committee on Penal Institutions.*—Messrs. Troy, Wilson and Heilig.

*Senate Branch Joint Committee on Insane Asylum.*—Messrs. Stanford, Moore of Mecklenburg and Liles.

*Senate Branch Joint Committee on Asylum Deaf and Dumb and Blind.*—Messrs. Latham, Nicholson and Marler.

*Senate Branch Joint Committee on Public Buildings and Grounds.*—Messrs. Ferguson, Mercer and Thorne.

*Senate Committee on Corporations.*—Messrs. Scales, Albright, Sandifer, Crawford, Nicholson, Thorne and Moore of New Hanover.

*Senate Committee on Agriculture, Mechanics and Mining.*—Messrs. Holt, Stickney, Boddie, Askew, Cunningham, Mebane of Bertie and Hughes.

*Senate Branch Joint Committee on Library.*—Messrs. Liles, Scales and Green.

*Senate Committee on Military Affairs.*—Messrs. Justice, Bennett, York, Caho, Mercer, Wynne and Dunn.

The following bills and resolutions upon the Calendar were taken up and disposed of as follows:

S. R. No. 26, a resolution of instruction to the Judiciary Committee, was read and adopted.

S. R. No. 4, resolution on adjournment, was, on motion of Mr. Mebane of Rockingham, referred to Committee on Propositions and Grievances.

S. B. No. 34, an act to amend chap. 237 of the Laws of 1874-'75, was put upon its second reading, on motion of Mr. Justice, and passed.

On motion of Mr. Marler, the bill was referred to the Judiciary Committee.

Mr. Folk, from the Committee on Judiciary reported back S. B. No. 5, recommending that it do pass.

S. B. 37, a bill to repeal chap. 79, Laws of 1871-'72, concerning Sampson county, was taken from the Calendar and passed its second reading.

On motion of Mr. Stewart, the rules were suspended and the bill passed its third reading, ayes, 42; nays, none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Folk, Green, Heilig, Hughes, Johnston, Justice, Latham, Liles, Mabson, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wynne, York and Young—42.

*Negative*.—None.

It was then ordered to be engrossed and sent to the House of Representatives.

S. R. 38, resolution for the relief of G. W. & B. K. Dickey, was taken from the Calendar and put on its second reading.

On motion of Mr. Robbins, it was referred to Committee on Claims.

S. R. 44, resolution of instruction to the Judiciary Committee, was put on its second reading.

Mr. Latham moved to amend by substituting Committee on County Government instead of Judiciary, which was adopted.

Mr. Boddie moved to amend by striking out the last clause of the said bill, "the same to be uniform throughout the State," which was adopted.

On motion of Mr. Williams, the further consideration of the bill was postponed till Wednesday next, 29th instant, and made the special order for 12 M. that day.

Mr. Mebane of Rockingham moved that S. B. 5, reported back by Judiciary Committee, be taken up and put on its second reading, which was done and the bill passed. The bill was then put upon its third reading and passed. Ayes 42; nays none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham,



Boddie, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Folk, Green, Heilig, Hughes, Johnston, Justice, Latham, Liles, Mabson, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wynne, York and Young—42.

*Negative*—None.

It was then ordered to be engrossed and sent to the House of Representatives.

On motion of Mr. Moore of Mecklenburg, the Senate adjourned until Monday next at 11 o'clock.

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## SEVENTH DAY.

SENATE CHAMBER, Nov. 27, 1876.

The Senate met pursuant to adjournment, Mr. President Robinson in the chair.

The Journal of Saturday was read and approved.

Mr. Cunningham asked leave of absence for Messrs. Scales and Holt for to-day.

On motion of Mr. Finger, leave of absence was granted to Mr. Mebane, of Rockingham, for one week from and after to-day.

On motion of Mr. Mebane of Bertie, leave of absence was granted to Mr. Moore of New Hanover for to-day.

The President announced the following Standing Committees:

*Senate Branch Joint Committee on Printing*—Messrs. Wilson, Nicholson and Wynne.

*County Government*—Messrs. Coke, Robbins, Latham, Roberts, Folk, Johnston and Green.

*Senate Branch Joint Committee on County Government*—Messrs. Williams, Bingham and Dockery.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows :

By Mr. Cunningham : S. B. 46, a bill to repeal chapter 245, Laws 1874-'75. Referred to the Committee on the Judiciary.

By Mr. Wilson : S. B. 47, a bill to incorporate the Board of Provincial Elders of the Southern Moravian Church or *Unitas Fratrum*. Referred to the Committee on Corporations.

By Mr. Mebane of Rockingham : S. B. 48, a bill to compromise and settle the State debt. On Calendar.

By Mr. Thorne : S. B. 49, a bill to change the time of closing the polls on election days. Referred to the Committee on Privileges and Elections.

By Mr. Mebane of Bertie : S. B. 50, a bill to make the Cashie river a lawful fence. Referred to the Committee on Propositions and Grievances.

Mr. Waddell, from the Committee on Engrossed Bills, reported as properly engrossed :

S. B. 23.

S. B. 37.

On motion of Mr. Troy, indefinite leave of absence was granted Mr. Dortch ; also leave of absence was granted Mr. Stewart for ten days from and after to-day.

Mr. Finger introduced

S. R. 51 : Resolution to raise a Joint Committee on the State debt. Placed on Calendar.

S. R. 41 was taken from the Calendar and put upon its second reading.

On motion of Mr. Troy, it was referred to the Joint Committee on the Insane Asylum.



A message was received from the House of Representatives, announcing that the House had appointed the following gentlemen as the House branch of the Joint Committee under the S. R., in regard to employees of the General Assembly: Messrs. Todd, Sharpe, Roberts, Clarke of Craven and Wilson of New Hanover.

Also that the House had passed

H. B. 20, a bill to be entitled an act to prevent shooting or throwing into railroad cars. Referred to Committee on Judiciary.

H. B. 46, a bill to prohibit the sale of intoxicating liquors within two miles of Jerusalem, Liberty, Concord and Cherry Hill churches, in Davie county. Referred to the Committee on Propositions and Grievances.

Also, had passed H. R. 15, resolution to furnish the General Assembly with copies of the State Constitution as amended.

On motion of Mr. Latham, the Senate refused to concur in H. R. 15.

Mr. Stewart reported from Committee on Engrossed Bills as properly engrossed S. B. No. 5, bill to incorporate the Dan River Navigation Company.

Mr. Cunningham introduced S. R. 52, a resolution of instruction to the Committee on Printing.

Mr. York introduced S. R. 53, resolution instructing Representatives in Congress; placed on Calendar.

On motion of Mr. Albright, S. R. 51, resolution to raise Joint Standing Committee on State Debt, was taken from the Calendar, put upon its second reading and passed.

On motion of Mr. Liles, the Senate adjourned until tomorrow at 11 o'clock.

## EIGHTH DAY.

SENATE CHAMBER, November 28, 1876.

Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

The Journal of yesterday was read and approved.

Leave of absence was granted to the following gentlemen :

On motion of Mr. Green, to Mr. Dockery, for ten days from and after to-day. To Mr. Green, indefinitely from and after to-day. To Mr. Young, indefinitely from and after to-day. To Mr. Short, indefinitely from and after to-day.

Reports from standing committees were submitted as follows :

From the Committee on Propositions and Grievances :

By Mr. Dortch : S. B. 33, a bill for the relief of Pinkney Rollins & Co. Reported back without action and recommended that it be referred to Committee on Claims, which was so ordered.

S. B. 54, a bill to prohibit the sale of intoxicating liquors within two miles of Jerusalem, Liberty, Concord and Cherry Hill churches, in Davie county, with a recommendation that it do pass.

By Mr. Albright : S. B. 27, a bill to amend section 6, chapter 101, Battle's Revisal, with accompanying amendments, recommending that it do pass.

From Committee on Judiciary :

By Mr. Folk : S. B. 34, a bill to amend chapter 237, Laws of 1874-'5, with recommendation that it do pass.

S. B. 55, a bill to prevent throwing or shooting into railroad cars, recommending that it do pass.

S. B. 19, a bill to extend the time of settling the taxes by the sheriffs of Franklin, Nash, Duplin and Wilson, and recommending that it do not pass.



S. B. 29, bill to amend section 412 (a), chapter 17, Battle's Revisal, recommending that it do pass.

S. B. 28, a bill to amend section 2, chapter 18, Battle's Revisal, in relation to summons, with accompanying substitute for said bill, recommending that the substitute do pass.

From the Committee on Printing:

By Mr. Wilson: Report of Joint Committee on Printing. On Calendar.

By message from the House of Representatives: H. B. 40, a bill for the relief of tax-payers of North Carolina. Referred to the Committee on Finance.

H. B. 5, S. B. 96: A bill to extend the time of registering grants, deeds and other conveyances. Referred to Committee on the Judiciary.

By Mr. Green: A petition from certain printers in regard to public printing. Placed upon the Calendar.

A message was received from the House of Representatives proposing to go into an election of United States Senator at 12 M., and asking the concurrence of the Senate therein.

The Senate concurred in the proposition of the House to go into the election of United Senator at 12 M., and the President appointed Messrs. Marler and Green to act as tellers on the part of the Senate, and a message to that effect ordered to be sent to the House of Representatives.

A message was received from his Excellency, the Governor, transmitting the report of the Commissioners of the Western North Carolina Railroad; also stating that he had received no report concerning the Western Insane Asylum.

On motion of Mr. Johnston, the message of his Excellency, the Governor, with the accompanying report, was ordered to be transmitted to the House of Representatives with the proposition to print the usual number of copies.

The following named bills and resolutions were intro-

duced, read and passed first time, and were referred or otherwise disposed of as follows :

By Mr. Nicholson : S. B. 58, a bill to amend section 1, chapter 97, Battle's Revisal. Placed on the Calendar.

By Mr. Justice : S. B. 59, a bill to make the embezzlement of county funds a felony. To the Committee on the Judiciary.

By Mr. Bennett : S. B. 60, a bill for the relief of E. W. Taylor, late sheriff, and Nixon Ottoway, tax collector, of Brunswick county. To the Committee on Propositions and Grievances.

By Mr. Mebane of Bertie : S. B. 61, a bill to prevent the cohabiting of white and colored persons. To the Committee on Propositions and Grievances.

By Mr. Mebane of Bertie : S. B. 61, a bill to amend chapter 89, Laws of 1874-'75. To the Committee on the Judiciary.

By Mr. Latham : S. R. 63, a resolution on adjournment. Placed on the Calendar.

By Mr. Troy : S. R. 64, a resolution of instruction to the Committee on Public Buildings and Grounds. Placed on the Calendar.

On motion of Mr. Folk, the rules were suspended, and

S. B. 34, a bill to amend chapter 237, Laws of 1874-'75, was taken from the Calendar and placed upon its second reading and passed.

It was then put upon its third reading and passed. Ayes, 44; nays, none, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Marler, Mebane of Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Scales,



Stanford, Stickney, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne, York and Young—44.

*Negative*—None.

And ordered to be engrossed and transmitted to the House of Representatives.

On motion of Mr. Latham, the rules were suspended, and S. R. 63, resolution concerning adjournment, was taken from the Calendar and placed upon its second reading.

Mr. Marler moved to refer the resolution to a special committee on adjournment, to be appointed by the President.

Pending the consideration of the bill, the President announced that the hour had arrived for the General Assembly to proceed to the election of a United States Senator.

Mr. Green placed in nomination the Hon. O. H. Dockery, of Richmond county.

Mr. Folk nominated the Hon. Matt. W. Ransom, of Northampton.

The Senate proceeded to ballot, as follows :

FOR MR. RANSOM—Mr. President Robinson, Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Marler, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Short, Troy, Waddell, Williams, Wilson, York and Young—38.

FOR MR. DOCKERY—Messrs. Bryant, Green, Hughes, Mabson, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—8.

A message was received from the House of Representatives, informing the Senate that the Speaker had appointed the following gentlemen as the House branch of the Joint Committee on County Government : Messrs. Roberts, Rose, Richardson, Wilson of Burke and Russell.

A message was received from the House of Representatives, stating that the House had balloted for a United States

Senator, and that M. W. Ransom received eighty-two votes and O. H. Dockery 32 votes.

On motion of Mr. Graham, a message was sent to the House notifying that body that upon the return of the messenger the Senate would proceed in a body to the hall of the House for the purpose of completing the count of the votes for State officers in the recent election.

The Joint Session having adjourned, the Senate returned to its own chamber.

On motion of Mr. Stanford, the Senate adjourned until tomorrow morning at 11 o'clock.

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## NINTH DAY.

SENATE CHAMBER, November 29, 1876.

The Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

The Journal of yesterday was read and approved.

Reports from standing committees were submitted as follows :

From the Committee on Judiciary :

By Mr. Scales : S. B. 30, bill to amend chapter 37, Battle's Revisal, with a recommendation that it do not pass.

By Mr. Green : S. B. 21, bill to amend section 9, chapter 65, Battle's Revisal, recommending that it do not pass.

From Committee on Enrolled Bills :

Mr. Moore of Mecklenburg reported

S. B. 27, bill to validate election returns ;

S. R. 12, resolution in regard to per diem and mileage ;



S. B. 11, bill to amend section 4, chapter 22, Battle's Revisal ;

As having been properly enrolled.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows :

By Mr. Liles : S. B. 65, bill to amend an act in relation to changing the gauge of railroads. Referred to the Committee on Internal Improvements.

By Mr. Moore of New Hanover : S. B. 66, bill to provide for a house of correction in Cape Fear township, New Hanover county. Referred to the Committee on Public Buildings and Grounds.

By Mr. Johnston : S. B. 67, bill to provide for the speedy completion of the Western N. C. Railroad.

On motion of Mr. Stanford, it was referred to the Committee on Internal Improvements and ordered to be printed.

By Mr. Caho : S. B. 68, bill to amend an act to lay off and establish the new county of Pamlico. Referred to the Committee on Propositions and Grievances.

S. R. 63, resolution on adjournment, being unfinished business of yesterday, was taken up and, on motion of Mr. Stanford, was passed over informally.

Mr. Askew introduced S. R. 69, requesting certain information from the Treasurer. Referred to the Committee on Finance.

On motion of Mr. Green, leave of absence was granted Mr. Mabson until Tuesday next from and after to-day.

The Senate proceeded to consider the

#### SPECIAL ORDER

for to-day, to-wit :

S. R. 44, resolution instructing the Committee on County Government.

On motion of Mr. Sandifer, the resolution was indefinitely postponed.

On motion of Mr. York, the rules were suspended and S. R. 53, resolution of instruction to Representatives in Congress, was taken up, passed its several readings, and was ordered to be engrossed.

Mr. Graham offered a concurrent resolution that when the General Assembly adjourn to-day it do so until Friday at 11 o'clock, which was passed under a suspension of the rules, and ordered to be transmitted to the House without engrossment.

On motion of Mr. Crawford, the rules were suspended and S. B. 54, bill to prohibit the sale of intoxicating liquors within two miles of certain churches in Davie county, with the accompanying report of the Committee on Propositions and Grievances, was taken up for consideration.

The bill was read second time and passed.

The question recurring upon the passage of the bill on its third reading,

Mr. Sandifer offered the following amendment: Strike out the word "Superior." Fined not exceeding \$50 or imprisoned not exceeding one month.

Mr. Latham moved to recommit the whole matter, which motion was withdrawn.

Pending the consideration of the bill,

The President announced the arrival of the hour for the General Assembly to meet in joint session for the purpose of comparing the vote and declaring the result of the election for United States Senator, which was held on Tuesday, 28th instant.

On motion of Mr. Marler, a message was sent to the House of Representatives informing that body that upon the return of the messenger the Senate would proceed in a body to the Hall of the House for the purpose above indicated.

The Senate proceeded to the consideration of S. B. 54.



The amendment of Mr. Sandifer was adopted.

The question recurring upon the passage of the bill on its third reading, it was passed; ayes 35, nays 2, as follows:

*Affirmative*—Messrs. Albright, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Thorne, Troy, Waddell, Wilson and York—35.

*Negative*—Messrs. Askew and Green—2.

A message was received from the House of Representatives announcing the passage by that body of

H. R. 23 (S. R. 72), resolution in favor of the sheriff of Pasquotank county, and asking the concurrence of the Senate therein. The bill was placed on the Calendar.

On motion of Mr. Dortch, the Senate took a recess until after the adjournment of the joint session.

The Senate having returned to its own chamber,

Mr. Stanford introduced S. R. 70, resolution for the discharge and payment of certain employees of the General Assembly.

Mr. Latham moved to refer to the Committee on Claims, which motion was lost.

Resolution passed its second reading.

Under suspension of the rules, it was put upon its third reading and passed. Ayes, 38; nays, 3, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Liles, Marler, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Roberts, Sandifer, Scales, Stanford, Stickney, Thorne, Troy, Waddell, Williams, Wilson and York—38.

*Negative*—Messrs. Latham, Robbins and Wynne—3.

On motion of Mr. Stanford, the resolution was ordered to be transmitted to the House without engrossment.

Mr. Nicholson introduced S. R. 71, resolution in relation to the printing of the amended Constitution, and asked a suspension of the rules for its immediate consideration, which was granted.

Mr. Wilson moved to amend by striking out "joint committee on printing," and insert "the Senate Committee on Judiciary," which was accepted. The resolution then passed and was ordered to be engrossed and transmitted to the House of Representatives.

A message was received from the House of Representatives informing the Senate that the House had concurred in the resolution of the Senate: "That when the General Assembly adjourn to-day it do so until Friday, at 11 o'clock."

On motion of Mr. Coke, H. R. 23 (S. R. 72), resolution in favor of J. S. Wilcox, sheriff, was taken from the Calendar, put upon its second reading, and passed.

The bill was then read the third time and passed. Ayes 41, nays none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Marler, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—41.

*Nays*—None.

And ordered to be enrolled.

A message was received from the House of Representatives informing the Senate that the House had adopted the report of the Joint Select Committee on employes of the



General Assembly, and ask the concurrence of the Senate in the same.

On motion of Mr. Latham, the report was read and adopted and ordered to be enrolled.

On motion of Mr. Liles, the rules were suspended.

S. B. 65, bill to amend an act in relation to changing the gauge of railroads, was put upon its second reading and passed. Pending the third reading of the bill, on motion of Mr. Scales, it was referred to the Committee on Internal Improvements.

S. R. 64, resolution of instruction to the Committee on Public Buildings and Grounds, was taken from the Calendar and put upon its second reading.

Mr. Robbins moved to amend section first by adding: "Provided, that no contract of leasing or otherwise shall be completed before it is reported to the General Assembly and approved," which amendment was adopted, and the resolution passed and ordered to be engrossed and sent to the House of Representatives.

S. B. 58, bill to amend section 1, chapter 97, Battle's Revisal, was taken from the Calendar and put upon its second reading.

Mr. Robbins moved to amend by striking out "75 cents" and inserting "60 cents," and striking out "\$1.50" and inserting "\$1.20."

Pending the consideration of the bill, the Senate adjourned until Friday at 11 o'clock.

## TENTH DAY.

SENATE CHAMBER, Dec. 1, 1876.

Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

The Journal of Wednesday was read and approved.

Reports from standing committees were submitted as follows:

From the Committee on Propositions and Grievances:

By Mr. Dortch: S. B. 61, bill to prevent bedding and cohabiting of white and colored persons, recommending it *do not pass*, as section 46, chapter 32, Battle's Revisal, covers the point.

S. B. 68, supplemental act to lay off and establish the new county of Pamlico, with a recommendation that it do pass.

S. B. 50, bill to make Cashie river a lawful fence, with a recommendation that it do pass.

From the Committee on the Judiciary:

By Mr. Folk: S. R. 24, resolution of instruction to the Judiciary Committee, with the request that, as in their opinion, it being unnecessary, they be discharged from its further consideration.

By Mr. Coke: S. R. 26, resolution of instruction to Judiciary Committee, concerning sheriffs who make incorrect returns of elections, with recommendation that it be embraced in any general election law that may be adopted; and ask to be discharged from any further consideration thereof.

By Mr. Graham: H. B. 5 (S. B. 96), bill to extend the time for the registration of grants, deeds and other conveyances; recommending that the bill do pass.

By Mr. Robbins: S. B. 62, bill to amend chapter 89,



Laws of 1874-'75; with a recommendation that it do not pass.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows :

By Mr. Askew : S. R. 73, resolution asking Congress to grant an appropriation to rebuild Jones county court-house. Placed on the Calendar.

By Mr. Stanford : S. R. 74, resolution in favor of Daniel J. Moore, of Pender county. Referred to the Committee on Propositions and Grievances.

By Mr. Mebane of Bertie : S. B. 75, bill to submit the question of License or No License for the sale of liquor to the qualified voters of any county. Referred to the Committee on Propositions and Grievances.

By Mr. Caho : S. B. 76, bill for the relief of Goose Creek, &c., in Pamlico county. Referred to the Committee on Propositions and Grievances.

By Mr. Holt : S. R. 77, resolution on adjournment. Placed on Calendar.

Leave of absence was granted to the following gentlemen :

To Mr. Marler, on motion of Mr. Bingham, on account of sickness, for to-day.

To Mr. Crawford, on motion of Mr. Johnston, until Monday next.

Also to Mr. Moore of Mecklenburg, until Monday next.

S. B. 58, a bill to amend section 1, chapter 97, Battle's Revisal, being unfinished business of Wednesday, was taken up and put upon its second reading.

The question recurred on the amendment offered by Mr. Robbins to section 1—"Strike out seventy-five cents and insert sixty cents ; and strike out \$1.50 and insert \$1.20.

On motion of Mr. Troy, the bill was referred to the Committee on the Judiciary.

On motion of Mr. Latham, the rules were suspended and S. R. 77 was taken up and put on its second reading.

Mr. Latham moved to amend by striking out "Saturday, 16th," and inserting "Tuesday, the 12th."

Mr. Folk offered an amendment to the amendment:

"Provided the Committees on the Judiciary and County Government be instructed to remain in session during the recess, the Chairmen of the committees to grant leave of absence."

Mr. Justice offered a substitute for the whole matter:

"*Resolved*, That this General Assembly will adjourn on the 11th day of December inst., at 12 M., to meet again on the 30th of December inst., at 12 M."

Mr. Graham moved to strike out "11th."

Mr. Finger moved to lay the whole matter on the table, upon which

Mr. Robbins called for the ayes and nays, which call being sustained, the motion to lay on the table prevailed—ayes 20, nays 19, as follows:

*Affirmative*—Messrs. Bennett, Caho, Coke, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Mebane of Bertie, Mercer, Roberts, Sandifer, Scales, Thorne, Troy, Waddell and Wilson—20.

*Negative*—Messrs. Albright, Askew, Bingham, Boddie, Cunningham, Hughes, Johnston, Justice, Latham, Liles, Moore of New Hanover, Nicholson, Robbins, Stanford, Stickney, Stewart, Williams, Wynne and York—10.

A message was received from the House of Representatives:

H. B. 62, (S. B. 78), bill to repeal all that part of chapter 195, Laws of 1874-'75, which applies to Edgecombe county. Referred to Committee on Propositions and Grievances.



H. B. 27, (S. B. 79), bill to amend chapter 17, section 343, Battle's Revisal. Referred to Committee on Judiciary.

H. R. 16 (S. R. 80), resolution in favor of Ashe county. Referred to the Committee on Claims.

S. B. 29, bill to amend section 412, (a) chapter 19, Battle's Revisal, was put on its second reading, with the recommendation of the Committee on the Judiciary that it do pass.

Bill passed its second reading, and, under a suspension of the rules, passed its third reading. Ayes, 36, nays, none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Bryant, Caho, Coke, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mercer, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Thorne, Troy, Waddell, Williams, Wilson and York—36.

*Negative*—None.

Ordered to be engrossed and sent to the House of Representatives.

H. B. 20, (S. B. 55) bill to prevent throwing or shooting into railroad cars. The bill was read, with the report of the Committee on Judiciary that it do pass. The bill passed its second reading.

On motion of Mr. Robbins, the rules were suspended and the bill was put upon its third reading.

Mr. York moved an amendment to section 1: "Shall not be fined less than \$25," which did not prevail.

The bill passed its third reading, ayes 38, nays, none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mercer, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Scales,

Stanford, Stickney, Stewart, Thorne, Troy, Waddell, Wilson, Wynne and York—38.

*Negative*—None.

And was ordered to be enrolled.

S. B. 27, bill to amend chapter 101, section 6, Battle's Revisal.

The bill was read the second time, and the amendment proposed by the Committee on Propositions and Grievances prevailed.

The question recurring on the passage of the bill on its second reading,

Mr. Hughes offered the following amendment: "Provided, This act shall not apply to Granville county," which was lost.

Mr. Albright offered an amendment, after the word "worship" "and stop their."

Mr. York offered an amendment: "This act shall not apply to Chatham county."

Mr. Caho moved to lay the whole matter on the table, which motion was lost.

Mr. Albright called for the previous question, which was sustained.

Mr. York's amendment was lost.

Mr. Albright's amendment was adopted, and the bill passed its second reading.

The bill was put upon its third reading, and lost. Ayes 13, nays 26, as follows:

*Affirmative*—Messrs. Albright, Bingham, Boddie, Cunningham, Dortch, Finger, Graham, Liles, Mercer, Robbins, Roberts, Stanford and Troy—13.

*Negative*—Messrs. Askew, Bennett, Bryant, Caho, Coke, Dunn, Ferguson, Folk, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mebane of Bertie, Moore of New Hanover, Nicholson, Sandifer, Scales, Stickney, Stewart, Thorne, Waddell, Wilson, Wynne and York—26.



From Committee on Engrossed Bills :

By Mr. Waddell : S. B. 34, bill to amend chapter 237, Laws of 1874-'75, was properly engrossed and ordered to be sent to the House.

On motion of Mr. Waddell, indefinite leave of absence was granted to Mr. Bennett.

The report of the Joint Committee on Printing was taken from the Calendar and read, and was referred to the Committee on Judiciary.

On motion of Mr. Latham, the petition of certain printers was taken from the Calendar and referred to Committee on the Judiciary.

#### INTRODUCTION OF BILLS BY PERMISSION.

By Mr. Askew : S. B. 81, bill to extend the time of the sheriff of Carteret county to collect taxes.

Mr. Askew asked that the rules be suspended and the bill be put upon its passage ; to which Mr. Graham objected.

The vote being taken, the rules were not suspended.

The bill was then referred to the Judiciary Committee.

By Mr. Askew : S. B. 82, bill for the improvement and reclamation of certain swamp lands in Onslow and other counties. Referred to the Committee on the Judiciary.

Mr. Holt moved to take from the table S. R. 77, resolution on adjournment.

Mr. Cunningham called for the ayes and nays, which were ordered, and the bill taken up, ayes 24, nays 14, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Cunningham, Dortch, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mercer, Moore of New Hanover, Nicholson, Robbins, Roberts, Stanford, Stickney, Stewart, Williams and York—24.

*Negative*—Messrs. Bryant, Coke, Dunn, Ferguson, Folk, Graham, Heilig, Sandifer, Scales, Thorne, Troy, Waddell, Wilson and Wynne—14.

The bill and amendments were then read.

The question recurring on the amendment of Mr. Graham, to strike out "11th," the question was put and the amendment did not prevail.

The question was then upon the substitute offered by Mr. Justice, to adjourn on the 11th and to meet again on Saturday, the 30th.

Mr. Nicholson moved to insert "10" in place of "12" as the hour for adjournment, which was accepted.

Mr. Caho moved to insert "14th" instead of "11th."

Mr. Robbins raised a point of order, that the Senate having refused to strike out "11," it was not now competent to strike out "11" and insert "14," which point was sustained by the Cha .

The question recurred on the substitute offered by Mr. Justice.

Mr. Cunningham asked for the ayes and nays, which were ordered.

Mr. Graham moved to adjourn, upon which Mr. Albright called for the ayes and nays, which were ordered, and the Senate refused to adjourn, ayes 12, nays 26, as follows:

*Affirmative*—Messrs. Bryant, Caho, Coke, Dortch, Dunn, Folk, Graham, Heilig, Hughes, Mercer, Sandifer and Scales—12.

*Negative*—Messrs. Albright, Askew, Bingham, Boddie, Cunningham, Finger, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Moore of New Hanover, Nicholson, Robbins, Roberts, Stanford, Stickney, Stewart, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—26.

The substitute offered by Mr. Justice was then adopted, yeas 22, nays 16, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Cunningham, Heilig, Johnston, Justice, Latham, Liles, Mercer, Nicholson, Robbins, Roberts, Stanford, Stickney, Stewart, Troy, Waddell, Williams, Wynne and York—22.

*Negative*—Messrs. Bryant, Caho, Coke, Dortch, Dunn, Fer-



guson, Finger, Folk, Graham, Holt, Hughes, Mebane of Bertie, Sandifer, Scales, Thorne and Wilson—16.

The resolution as amended being put upon its second reading, Mr. Robbins moved to strike out "11" and insert "4."

Mr. Caho moved to amend the amendment by inserting "14" for "4."

Mr. Troy demanded the previous question, which was sustained.

Mr. Caho withdrew his amendment.

Mr. Wilson (having given notice of an amendment before the previous question was ordered) moved to strike out "11" and insert "9."

A division being called for on the amendment, it was rejected, ayes 14, nays 20.

The amendment of Mr. Robbins to insert "4" was lost.

The amendment offered by Mr. Folk, allowing certain committees to sit during recess, was rejected.

The question recurring upon the passage of the resolution upon its second reading, Mr. Williams called for the ayes and nays which were ordered, and the resolution passed, ayes 24, nays 12, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Cunningham, Ferguson, Finger, Heilig, Hughes, Johnston, Justice, Latham, Liles, Mercer, Nicholson, Robbins, Roberts, Stanford, Stickney, Stewart, Troy, Waddell, Williams and York—24.

*Negative*—Messrs. Bryant, Coke, Dortch, Dunn, Folk, Graham, Holt, Mebane of Bertie, Sandifer, Scales, Thorne and Wilson—12.

Pending the further consideration of the resolution, the President announced as temporary Committee on Enrolled Bills, Messrs. Stanford, Justice and Johnston.

Mr. Stanford moved a suspension of the rules to put the resolution on its third reading.

A division being called for, the Senate refused to suspend the rules. Ayes, 20; nays, 14.

Mr. Scales moved to adjourn until to-morrow, at 11 o'clock, which motion prevailed.

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## ELEVENTH DAY.

SENATE CHAMBER, Dec. 2, 1876.

Senate met pursuant to adjournment, Mr. President Robinson in the chair.

Prayer by Rev. Dr. Pritchard, of Raleigh.

The Journal of yesterday was read and approved.

Leave of absence was granted

To Mr. Waddell, until and including Monday, on motion of Mr. Boddie.

To Mr. Mercer, from and after to-day until Tuesday morning next, on motion of Mr. Coke.

Reports from standing committees were submitted, as follows :

From the Judiciary Committee :

By Mr. Wilson : S. B. 59, bill to make embezzlement of county funds a felony. The committee submitted an amendment, and recommended that the bill, as amended, do pass.

By Mr. Coke : S. B. 18, bill to amend sub-section 9, of section 34, chapter 17, Battle's Revisal, with a recommendation that it do not pass.

By Mr. Scales : S. B. 81, bill for the relief of the sheriff of Carteret county. Recommend that it do not pass.

By Mr. Robbins : S. B. 72 : Bill for the improvement of



certain swamp lands. Recommending that it be referred to the Committee on Education, and asked to be discharged from its further consideration.

From the Committee on Propositions and Grievances :

By Mr. Dortch : S. B. 22, bill for the relief of certain lands in Clay county. Recommend that it do pass.

By Mr. Albright : S. B. 32, bill to incorporate the Hook and Ladder Company, No. 2, of Wilmington. Recommending that action thereon be postponed for reasons given.

S. B. 29, bill to incorporate the First Ward Bucket Company, of Wilmington, recommending that action on the bill be postponed for reasons given.

S. B. 16, bill to incorporate the Laborers' Union, of Wilmington.

The following named bills were reported as correctly engrossed, by Mr. Waddell, of the Committee on Engrossed Bills; which were ordered to be transmitted to the House of Representatives for their concurrence :

Senate amendment to H. B. 46, S. B. 54, bill to prohibit the sale of intoxicating liquors within two miles of certain churches in Davie county.

S. R. 71, resolution in relation to the printing of the amended Constitution.

S. R. 64, resolution instructing the Committee on Public Buildings and Grounds.

S. R. 83, resolution instructing Representatives in Congress.

From Committee on Internal Improvements :

By Mr. Johnston : S. B. 65, bill in relation to changing the gauge of railroads, with accompanying substitute, recommending that the substitute do pass.

From the Committee on Enrolled Bills :

By Mr. Johnston : H. R. 23, S. R. 72 : A resolution in favor of J. S. Wilcox, sheriff.

S. B. 37, H. B. 79 : A resolution to repeal chapter 79, Laws of 1871-'72.

S. R. 70: A resolution in favor of the employees of the General Assembly.

S. R. 2, H. R. 19: A resolution in favor of the public debt.

Which were duly ratified and transmitted to the Secretary of State.

From the Committee on the Judiciary:

By Mr. Graham: S. B. 29, a bill to change the mode of paying Solicitors, recommending that it do not pass.

By Mr. Folk: H. B. 27, S. B. 19, a bill to amend chapter 17, section 343, Battle's Revisal, recommending that it do pass.

A message was received from the House of Representatives, informing the Senate that the House had passed H. B. 58, a bill to amend section 2, chapter 18, Battle's Revisal, relating to summons, and asking a concurrence in the same. Referred to the Judiciary Committee.

The following bills and resolutions were introduced, read first time and disposed of as follows:

By Mr. Graham: S. B. 84, a bill to prescribe what bonds shall be required of the sheriffs of the State. Placed on the Calendar.

By Mr. Askew: S. B. 85, a bill to repeal chapter 137, Laws of 1873-'4, so far as relates to Jones county. Referred to Committee on Propositions and Grievances.

Reported from the Committee on Propositions and Grievances:

By Mr. Dortch: S. B. 76, a bill for the relief of Goose Creek, &c., recommending that the bill, as amended, do pass.

On motion of Mr. Graham, the rules were suspended, and S. B. 84, a bill to prescribe what bonds shall be given by sheriffs of the State, was taken up and passed its second reading.

On motion of Mr. Folk, the bill was put upon its third reading.

Mr. Sandifer moved to amend section 2, by adding: "Pro-



vided said sheriffs shall have two weeks given in order to perfect their said bonds."

Mr. Moore of New Hanover moved to amend the amendment by inserting "months" for "weeks," which amendment was lost.

The question recurred upon the amendment of Mr. Sandifer, when,

On motion of Mr. Graham, the bill was referred to the Committee on Judiciary.

On motion of Mr. Stanford,

S. B. 82, bill in regard to certain swamp lands, reported back by the Committee on Judiciary, was taken up and referred to the Committee on Education, and ordered to be printed.

Mr. Latham, by permission, introduced

S. B. 86, bill to settle the ridings of the several judicial districts of the State, and moved to refer to the Committee on Judiciary; and asked that it be printed.

Mr. Stickney moved the matter be postponed.

Mr. Robbins moved that the matter be indefinitely postponed.

On a division of the vote, the motion of Mr. Robbins prevailed. Ayes, 17; nays, 12.

On motion of Mr. Liles, the rules were suspended and S. B. 65, bill in relation to changing the gauge of railroads, was put upon its second reading.

The substitute recommended by the Committee on Internal Improvements was read and adopted.

The bill then passed its second reading.

On motion, the rules were suspended and the bill passed its third reading. Yeas, 30; nays, 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Cunningham, Ferguson, Finger, Folk, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Robbins, Sandifer, Scales, Stanford, Stickney, Stew-

art, Thorne, Waddell, Williams, Wilson, Wynne and York—30.

*Negative*—Messrs. Dortch and Moore of New Hanover.

Ordered to be engrossed and sent to the House.

A message was received from the House of Representatives transmitting, without engrossment,

H. R. 34 (S. R. 87), resolution on adjournment, asking concurrence therein.

On motion of Mr. Stanford, the rules were suspended and the resolution put upon its second reading and passed.

The resolution was then put upon its third reading.

Mr. Moore of New Hanover moved to amend by striking out "13th" and inserting "12th," which was lost.

Mr. Moore of New Hanover moved to amend by striking out "13th" and inserting "20th," which was lost.

Mr. Wilson demanded the previous question, which was sustained.

The bill then passed its third reading. Ayes 31, nays 1, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Cunningham, Dortch, Dunn, Ferguson, Finger, Heilig, Holt, Johnston, Justice, Latham, Mebane of Bertie, Robbins, Sandifer, Scales, Stanford, Stickney, Stewart, Thorne, Waddell, Williams, Wilson, Wynne and York—31.

*Negative*—Mr. Folk—1.

And was ordered to be enrolled.

On motion of Mr. Caho, S. B. 68, bill relating to the new county of Pamlico, with the report of the Committee on Propositions and Grievances, was taken up. The bill passed its second reading, yeas 32, nays none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Robbins, Sandifer, Scales, Stanford,



Stickney, Stewart, Thorne, Waddell, Williams, Wilson, Wynne and York—32.

*Negative*—None.

On motion of Mr. Moore of New Hanover, S. B. 50, bill to make Cashie river a lawful fence, with the report of the Committee on Propositions and Grievances, was put on its second reading and passed.

The bill was read the third time and passed. Ayes, 32 ; nays, none, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Moore of New Hanover, Robbins, Sanderfer, Scales, Stanford, Stickney, Stewart, Thorne, Waddell, Williams, Wilson, Wynne and York—32.

*Negative*.—None.

Which was ordered to be engrossed and transmitted to the House.

Mr. Stewart was granted permission to have his vote recorded upon the Journal for United States Senator. He was absent on the day the election was held for that officer. Had he been present he would have voted for the Honorable Matt. W. Ransom, of Northampton.

On motion of Mr. Mebane of Bertie, the Senate adjourned until Monday at 11 o'clock.

## TWELFTH DAY.

SENATE CHAMBER, Dec. 4, 1876.

The Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

Prayer by Rev. Dr. Marshall, of the city.

The Journal of Saturday was read and approved.

Leave of absence was granted as follows:

To Messrs. Troy and Nicholson, for to-day To Robert M. Furman, Secretary, until Wednesday evening. To Mr. Finger, for to-day, on account of sickness.

## PETITIONS AND MEMORIALS.

By Mr. Liles: A petition from the citizens of Polkton, Anson county, praying that the petition of certain parties for the repeal of the local prohibitory law be not granted. Referred to the Committee on Propositions and Grievances.

Reports from standing committees were submitted as follows:

From the Committee on Propositions and Grievances:

By Mr. Dortch: H. B. 62, (S. B. 78) an act to repeal all that part of chapter 195, Laws of 1874-'75, which applies to Edgecombe county, recommending that it do not pass.

S. B. 75, a bill to submit the question of License or No License to the voters of any county, recommending that it do not pass.

By Mr. Bingham: S. R. 74, resolution in favor of David J. Moore, of Pender county, recommending that it do not pass.

A message was received from the House of Representatives:

H. R. 31, resolution of instruction to Senators and members of the House of Representatives from North Carolina in



the Congress of the United States. Read the first time and referred to the Committee on Banks and Currency.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Stanford: S. B. 89, a bill to prevent the felling of trees in the North East river. Referred to Committee on Propositions and Grievances.

By Mr. Coke: S. B. 90, bill to allow F. W. Bell, sheriff of Bertie county, to collect arrears of taxes. Referred to the Committee on the Judiciary.

By Mr. Robinson: S. R. 91, resolution of instruction to the Joint Committee on Penal Institutions. Placed on the Calendar.

#### CALENDAR.

S. R. 62, resolution on adjournment, was put upon its second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. R. 77, resolution on adjournment, was, on motion of Mr. Latham, indefinitely postponed.

S. B. 68, a bill supplemental to An act to lay off the new county of Pamlico, was put upon its third reading and passed. Ayes, 30; nays, none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Folk, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Marler, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robbins, Sandifer, Scales, Stanford, Stickney, Thorne, Wilson, Wynne and York—30.

*Negative*—None.

Was ordered to be engrossed and sent to the House of Representatives.

S. B. 28, bill to amend section 2, chapter 18, of Battle's

Revisal, was put upon its second reading. The substitute reported by the Committee on the Judiciary was read and adopted.

On motion of Mr. Sandifer, the bill was recommitted to the Committee on Judiciary.

S. R. 24, resolution of instruction to the Judiciary Committee, was, upon motion of Mr. Albright, indefinitely postponed.

S. R. 26, resolution of instruction to the Committee on Judiciary, was, upon motion of Mr. Latham, indefinitely postponed.

H. B. 5, S. B. 56, bill to extend the time of registration of grants, deeds, and other conveyances, was put upon its second reading.

Mr. Folk offered a substitute for the same, which was read. Mr. Folk then moved that the substitute and bill be referred to the Committee on Judiciary, and that the substitute be printed, which motion prevailed.

A message was received from the House of Representatives, informing the Senate that the House had concurred in the Senate amendments to H. B. 46, S. B. 54, a bill to prohibit the sale of liquors within two miles of Jerusalem and certain other churches, in Davie county, and had ordered the same to be enrolled.

S. R. 73, a resolution asking Congress to grant an appropriation to rebuild Jones county court-house, was read and adopted.

Mr. Scales moved to reconsider the vote by which S. R. 73 was adopted. The motion prevailed, and

On motion of Mr. Scales, the resolution was passed over for the present.

H. B. 27, S. B. 79, a bill to amend chapter 17, section 343, I, Battle's Revisal, was read its second time and passed.

The bill was then put upon its third reading and passed, ayes 26, as follows:



*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Folk, Heilig, Holt, Johnston, Justice, Latham, Liles, Marler, Moore of Mecklenburg, Robbins, Sandifer, Scales, Stanford, Stickney, Thorne, Wilson and York—26.

*Negative*—None.

And was ordered to be enrolled for ratification.

S. B. 32, bill for the relief of purchasers of certain lands, in Clay county, was put upon its second reading.

On motion of Mr. Johnston, "Macon" was ordered to be inserted after "Clay," so as to read "Clay and Macon counties." The bill then passed its second reading.

On motion of Mr. Ferguson, the bill was put upon its third reading.

Mr. Wilson moved to amend by inserting the word "valid" before "entry," which was adopted.

The bill then passed its third reading. Ayes 28; nays none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Folk, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Marler, Mebane of Bertie, Moore of Mecklenburg, Robbins, Sandifer, Scales, Stanford, Stickney, Thorne, Wilson and York—28.

*Negative*—None.

And was ordered to be engrossed and sent to the House of Representatives.

S. B. 39, a bill to change the mode of paying Solicitors, was put upon its second reading.

On motion of Mr. Folk, it was indefinitely postponed.

S. B. 81, a bill to extend the time of the sheriff of Carteret county to settle with the State Treasurer, was put upon its second reading.

On motion of Mr. Marler, the bill was indefinitely postponed.

S. B. 18, a bill to amend sub-section 9, of section 34, chapter 17, of Battle's Revisal, was put on its second reading.

On motion of Mr. Sandifer, the bill was indefinitely postponed.

S. B. 59, a bill to make the embezzlement of county funds a felony.

A substitute was offered by the Judiciary Committee, which was adopted.

On motion of Mr. Sandifer, the bill was made the special order for Thursday, at 12 M., and further consideration postponed until that time.

S. R. 73, resolution asking Congress to grant an appropriation to rebuild Jones county Court-house, was taken up, on motion of Mr. Scales, who submitted a substitute therefor, which was adopted. The resolution was then adopted, ordered to be engrossed and sent to the House of Representatives.

S. R. 91, resolution of instruction to the Joint Committee on Penal Institutions, was, upon motion of Mr. Robinson, taken up, read and adopted, ordered to be engrossed and sent to the House of Representatives.

S. R. 74, resolution in favor of David J. Moore, of Pender county, was taken up, on motion of Mr. Stanford, and postponed until to-morrow, and made the special order for 12 M.

On motion of Mr. Liles, the Senate adjourned until to-morrow at 11 o'clock.



## THIRTEENTH DAY.

SENATE CHAMBER, Dec. 5, 1876.

The Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

The Journal of yesterday was read and approved.

Mr. Nicholson asked that the Journal might show that had he been present he would have voted for S. R. 91, a resolution of instruction to the Joint Committee on Penal Institutions.

## PETITIONS AND MEMORIALS.

By Mr. Stickney: A memorial from the citizens of Edgecombe county. Placed upon the Calendar.

Reports from standing committees were submitted as follows:

From the Committee on the Judiciary:

By Mr. Scales: S. B. 90, a bill to allow F. W. Bell, sheriff of Bertie county, to collect arrear of taxes for the years 1874 and 1875, reporting a substitute for the same, and recommending that the substitute do pass.

From the Committee on Finance:

By Mr. Holt: S. B. 57, a bill for the relief of the tax-payers of North Carolina, recommending that it do not pass.

By Mr. Robbins: S. B. 7, a bill for the relief of John R. Wyatt, sheriff of Alleghany county, recommending that it do not pass.

By Mr. Graham: S. R. 69, a resolution instructing the Treasurer, reporting an amendment, and recommending that the bill, as amended, do pass.

From the Committee on Propositions and Grievances:

By Mr. Dortch: S. B. 89, a bill to prevent the felling of

of trees in the North-east river, recommending that it do pass.

S. R. 4, resolution on adjournment, reported back without action.

From the Committee on Finance:

By Mr. Graham: S. B. 35, bill to amend section 35 and section 39, chapter 102, Battle's Revisal, recommending that it do not pass.

By Mr. Troy: S. B. 14, bill to extend the time of the sheriff of Iredell, recommending that it do not pass.

S. B. 6, bill to extend the time of sheriffs of Beaufort, Pamlico and Pitt counties, recommending it do not pass.

Mr. Moore of Mecklenburg, from the Committee on Enrolled Bills, reported as correctly enrolled:

S. R. 87, resolution on adjournment.

S. B. 15, bill for the relief of F. J. Satchwell, sheriff of Beaufort county.

S. B. 55, bill to prevent the throwing of stones or shooting into railroad cars.

All of which were duly ratified and forwarded to the Secretary of State.

A message was received from the House of Representatives transmitting

H. R. 28, (S. R. 93) resolution in reference to the Wilmington and Weldon Railroad. Referred to the Committee on Finance.

H. R. 35, (S. R. 92,) resolution in reference to the Internal Revenue laws of the United States. Placed on the Calendar.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

By Mr. Dunn: S. B. 94, bill to incorporate Kinston Collegiate Institute. Referred to the Committee on Corporations.

By Mr. Graham: S. B. 95, bill to repeal section 13, and



amend section 14, chapter 80, Battle's Revisal. Referred to the Committee on the Judiciary.

By Mr. Graham: S. B. 96, bill to amend section 116, chapter 32, Battle's Revisal. Referred to the Committee on the Judiciary.

#### THE CALENDAR.

The following bills and resolutions were taken up upon their second reading, and disposed of as follows:

S. B. 19, bill to extend the time of settlement of State taxes of the sheriffs of Franklin, Wilson, Nash and Duplin counties.

On motion of Mr. Williams, the bill was indefinitely postponed.

S. B. 21, bill to amend section 9, chapter 65, Battle's Revisal.

On motion of Mr. Marler, the bill was indefinitely postponed.

S. B. 62, bill to amend chapter 89, Laws of 1874-'75.

On motion of Mr. Latham, the bill was indefinitely postponed.

S. B. 75, bill to submit the question of license or no license to the voters of any county.

On motion of Mr. Troy, the bill was laid on the table.

H. B. 62, S. B. 78, bill to repeal part of chapter 195, Laws of 1874-'75.

On motion of Mr. Latham, the bill was indefinitely postponed.

A message was received from the House of Representatives transmitting

H. R. 40, S. R. 162, resolution in relation to the inauguration of Hon. Z. B. Vance, Governor of North Carolina. Placed upon the Calendar.

H. R. 42, S. R. 163, resolution in relation to the Western North Carolina Railroad.

H. R. 41, S. R. 143, resolution in relation to printing the amended Constitution.

On motion of Mr. York, the rules were suspended and H. R. 40, S. R. 162, resolution in relation to the inauguration of Hon. Z. B. Vance, was taken up, read and adopted.

The President appointed as the Senate branch of the Committee on Inauguration, Messrs. Stickney and Troy.

S. R. 74, resolution in favor of David J. Moore, of Pender county, was, under a suspension of the rules, put upon its several readings, and passed on motion of Mr. Stanford. The bill was then put upon its third reading.

Mr. Moore of New Hanover offered an amendment to strike out "\$50" and insert "\$100," which was lost.

Mr. Boddie offered an amendment, to add the name of W. H. Hamilton, of Wake county.

Mr. Justice offered an amendment: "All men who lost both eyes in the Confederate service during the late war."

Mr. Sandifer offered a substitute for the whole matter.

Mr. Graham offered an amendment to the substitute, which was accepted.

Mr. Liles offered an amendment to strike out "war" and insert "service," which was accepted.

The substitute as amended was adopted.

The question recurring upon the passage of the bill on its third reading, it passed. Ayes 30; nays 8, as follows:

*Affirmative*—Messrs. Askew, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Graham, Heilig, Holt, Hughes, Johnston, Justice, Liles, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Scales, Stanford, Stickney, Thorne, Troy, Williams, Wilson and Wynne—30.

*Negative*—Messrs. Albright, Boddie, Folk, Latham, Marler, Nicholson, Robbins and York—8.



It was then ordered to be engrossed and sent to the House of Representatives.

On motion of Mr. Folk, the rules were suspended, and H. R. 41 (S. R. 163), resolution in relation to the printing of the amendments to the Constitution, was taken up and adopted.

A message was received from the House of Representatives informing the Senate that the House had amended

S. R. 91, resolution of instruction to the Joint Committee on Penal Institutions, by striking out the preamble ; and, as amended, the resolution had passed that body.

The Senate concurred in the amendment, and the bill was then ordered to be enrolled.

The President appointed as the Senate branch of the committee on printing the Constitution, as amended, Messrs. Robbins and Wilson.

On motion of Mr. Troy,

H. R. 42 (S. R. 161), resolution in relation to the Western North Carolina Railroad, was taken up and put upon its second reading.

Mr. Troy offered a substitute for the resolution, which was adopted, and

On motion of Mr. Johnston, the resolution was adopted and ordered to be transmitted to the House of Representatives without engrossment.

On motion of Mr. Troy, the Senate Chamber was tendered to the Electoral College, to-morrow at 12 M.

On motion of Mr. Scales, the rules were suspended and S. B. 90, bill to allow F. W. Bell, sheriff of Bertie county, to collect arrears of taxes for the years 1874 and 1875, was taken up and put on its second reading. The substitute offered by the Committee on the Judiciary, to be entitled a bill for the relief of sheriffs and tax collectors, was read and adopted.

Mr. Scales moved to strike out "1876," which was adopted.

The bill then passed its second reading.

The rules were suspended and the bill put upon its third reading, when,

Upon motion of Mr. Latham, the bill and amendments were referred back to the Judiciary Committee.

On motion of Mr. Holt, the Senate adjourned until tomorrow morning at 10 o'clock.

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## FOURTEENTH DAY.

SENATE CHAMBER, Dec. 6, 1876.

The Senate met pursuant to adjournment,

Mr. President Robinson in the chair.

The Journal of yesterday was read and approved.

Reports from standing committees were submitted as follows:

From Committee on Judiciary:

By Mr. Coke: S. B. 95, a bill to repeal section 13, and amend section 14, of chapter 80, Battle's Revisal. Recommended that it do pass.

By Mr. Graham: S. B. 58, a bill to amend section 1 chapter 97 of Battle's Revisal.

The committee recommended that the bill do not pass, and asked to be discharged from its further consideration.

From the Committee on Claims:

By Mr. Marler: S. R. 80, a resolution in favor of Ashe county. Recommending that it do pass.

The following named bills and resolutions were intro-



duced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Cunningham: S. B. 97, a bill to regulate the practice of dentistry in the State. Referred to Committee on Corporations.

By Mr. Graham: S. B. 98, a bill to amend section 349 of chapter 17, Battle's Revisal. Referred to Committee on Judiciary.

By Mr. Troy: S. B. 99, a bill to incorporate Gideon's Relief Brotherhood, Lodge No. 1, of Fayetteville. Referred to Committee on Corporations.

By Mr. Liles: S. B. 100, a bill to amend chapter 195, Laws of 1874-'75. Referred to the Committee on the Judiciary.

By Mr. Troy: S. B. 101, a bill for the protection of paupers. Referred to the Committee on Propositions and Grievances.

By Mr. Moore of Mecklenburg: S. B. 102, a bill to repeal chapter 15, acts of 1871 and 1872.

By Mr. Troy: S. B. 103, a bill to make Cape Fear river a lawful fence. Referred to the Committee on Propositions and Grievances.

By Mr. Thorne: S. B. 104, a bill to prohibit the sale of liquors within three miles of Shocco Chapel, in Warren county. Referred to Committee on Propositions and Grievances.

By Mr. Askew, S. R. 105, a resolution on assessment of railroad tax in Jones county. Referred to Committee on Finance.

Mr. Waddeli, from the Committee on Engrossed Bills, reported as properly engrossed

S. R. 73, a resolution asking Congress to grant an appropriation to rebuild Jones county court-house. The resolution was then transmitted to the House of Representatives.

On motion of Mr. Johnston, indefinite leave of absence was granted to Mr. Ferguson.

On motion of Mr. Mebane of Rockingham, leave of absence was granted to Mr. Finger on account of sickness.

The President then called the Calendar :

S. B. 61, a bill to prevent bedding and cohabiting of white and colored persons.

On motion of Mr. Justice, the bill was indefinitely postponed.

S. B. 48, a bill to compromise and settle the State debt.

On motion of Mr. Mebane of Rockingham, the bill was referred to the Joint Committee on State Debt.

S. B. 16, a bill to incorporate the Laborers' Union, of Wilmington.

On motion of Mr. Robbins, the bill was laid on the table.

S. B. 20, a bill to incorporate the First Ward Bucket Company, of Wilmington.

On motion of Mr. Stanford, the bill was laid on the table.

S. B. 32, a bill to incorporate Hook and Ladder Company No. 2, of Wilmington.

On motion of Mr. Stanford, the bill was laid on the table.

S. B. 6, a bill to extend the time for the collection of taxes by the sheriffs of Beaufort, Pitt and Pamlico counties.

On motion of Mr. Stanford, the bill was indefinitely postponed.

S. B. 14, a bill to extend the time for the collection of taxes by the sheriff of Iredell county.

On motion of Mr. Latham, the bill was indefinitely postponed.

S. B. 35, a bill to amend sections 35 and 39, chapter 102, Battle's Revisal.

On motion of Mr. Latham, the bill was indefinitely postponed.

S. R. 4, a resolution on adjournment.

On motion of Mr. Latham, the resolution was indefinitely postponed.



S. B. 89, a bill to prevent the felling of trees in North-east river.

The bill was read a second time and passed.

The rules, on motion of Mr. Stanford, were suspended, and the bill read the third time and passed, ayes 37, nays 1, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—37.

*Negative*—Mr. Latham—1.

And was ordered to be engrossed and sent to the House of Representatives.

S. R. 69, a resolution requesting the Treasurer to furnish the Senate the amount of fines, &c., paid to him for past two years.

The resolution, as amended by the committee, was read and adopted.

S. B. 7, a bill for the relief of John R. Wyatt, sheriff of Alleghany county,

On motion of Mr. Troy, was indefinitely postponed.

S. B. 57, H. B. 40, bill for the relief of the tax payers of North Carolina,

On motion of Mr. Latham, was indefinitely postponed.

On motion of Mr. Moore of Mecklenburg, the rules were suspended and

S. B. 102, a bill to repeal chapter 15, acts 1871 and 1872, was read second time and passed.

The rules were suspended and the bill read the third time and passed ; yeas 39, nays none, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn,

Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—39.

*Negative*—None.

On motion of Mr. Moore of Mecklenburg, the bill was ordered to be transmitted to the House of Representatives without engrossment.

H. R. 35, S. R. 92, a resolution in relation to the internal revenue laws of the United States. The resolution was read and adopted and ordered to be enrolled.

By permission Mr. Coke introduced S. B. 106, a bill to amend section 237, chapter, 17, Battle's Revisal. Referred to Committee on the Judiciary.

H. B. 5, S. B. 56, a bill to extend the time for the registration of deeds, grants and other conveyances. The bill was read the second time and the proviso was stricken out.

The question recurring upon the substitute reported by the committee, it was adopted. The bill then passed its second reading. The bill was then read the third time and, on motion of Mr. Mebane of Rockingham, was reported back to the Committee on the Judiciary.

By permission, Mr. Troy introduced S. B. 107, a bill to receive convicts at the penitentiary for one year.

The rules were suspended and the bill read the second time.

Mr. Robbins offered an amendment, to strike out "or used on the Western Railroad."

Mr. Stanford called for the previous question, which was ordered.

Mr. Robbins' amendment was lost.

The bill passed its second reading.

The bill was then read the third time.



Mr. Justice offered an amendment, to strike out "cannot" and insert "may not," which was adopted.

Mr. Scales offered an amendment to strike out "Western N. C. R. R." and insert "on the railroads of the State, or other public works," which was adopted.

Pending the further consideration, the approach of the Honorable the Electoral College was announced by the Door-keeper.

The President, after formally receiving the Electoral College, announced that the Senate had adjourned until tomorrow at 10 o'clock.

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### FIFTEENTH DAY.

SENATE CHAMBER, Dec. 7, 1876.

The Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

The Journal of yesterday was read and approved.

Reports from standing committees were submitted, as follows:

From the Committee on Finance:

By Mr. Graham: S. R. 105, resolution on assessment of railroad tax in Jones county, recommending that as the legislation asked for is embraced in the Revenue Law, chapter 184, Laws of 1874-'75, no further legislation is required.

By Mr. Graham: H. R. 28 (S. R. 93), resolution in reference to the Wilmington and Weldon Railroad Company, recommending that it do pass.

From the Committee on the Judiciary:

By Mr. Graham: H. B. 5, S. B. 56, bill to provide for the

registration of deeds and other instruments of writing, &c. Reporting an amendment and recommending that the bill, as amended, do pass.

By Mr. Robbins: S. B. 28, a bill to amend section 2, chapter 18, Battle's Revisal in relation to summons. Reporting a substitute for the same, and recommending that the substitute do pass.

By Mr. Wilson: S. B. 90, bill for the general relief of sheriffs and tax collectors. Reporting a substitute for the same and recommending that the substitute do pass.

By Mr. Folk: S. B. 100, a bill to amend chapter 195, Laws of 1874-'75. Recommending that it do not pass.

By Mr. Folk: S. B. 45, a bill to repeal an act ratified March 22, 1875.

By Mr. Folk: S. B. 46, a bill to repeal chapter 45, Laws of 1874-'75, with a report of a majority of the committee recommending that they do not pass.

By Mr. Scales: S. B. 98, bill to amend section 349, chapter 17, Battle's Revisal. Recommending that it do pass.

A message was received from the House of Representatives transmitting H. B. 13, S. B. 108, a bill to prevent malicious injury to personal property. Referred to the Committee on the Judiciary.

H. B. 35, S. B. 109, bill to make gold and silver a legal tender. Referred to Committee on Banks and Currency.

The unfinished business was taken up, being

S. B. 107, a bill to receive convicts into the penitentiary for one year, and put upon its third reading.

Mr. Troy moved to amend by striking out first section and insert: "That until there shall be confined within the State prison at Raleigh four hundred and fifty convicts the Board of Directors for the Penitentiary shall be required to receive all convicts sentenced for the term of one year or more.

The amendment of Mr. Troy was adopted.



The bill was read and passed. Yeas, 38; nays, 1, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Marler, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Williams, Wilson, Wynne and York—38.

*Negative*—Mr. Moore of New Hanover—1.

By permission, Mr. Coke introduced S. B. 110, a bill to amend section 252, chapter 17, Battle's Revisal. Referred to the Committee on the Judiciary.

S. B. 95, a bill to repeal section 13, and amend section 14, chapter 80, Battle's Revisal, was taken up and read second time and passed.

Under a suspension of the rules, the bill was read the third time and passed. Ayes, 32; nays, 1, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Marler, Mercer, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Williams, Wilson and York—32.

*Negative*—Mr. Mebane of Rockingham—1.

H. R. 16, S. R. 87, a resolution in favor of Ashe county, was read second time.

On motion of Mr. Stewart, the bill was recommitted to the Committee on Claims.

S. B. 68, a bill to amend section 1, chapter 97 of Battle's Revisal. The bill was read the second time.

Mr. Folk moved to postpone indefinitely. Upon which

Mr. Robbins called for the ayes and nays; which call was sustained, and the motion of Mr. Folk prevailed. Ayes, 22; nays, 17, as follows:

*Affirmative*—Messrs. Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Folk, Graham, Heilig, Holt, Marler, Mercer, Moore of Mecklenburg, Nicholson, Roberts, Scales, Stickney, Short, Williams, Wilson and York—22.

*Negative*—Messrs. Albright, Dortch, Dunn, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Moore of New Hanover, Robbins, Sandifer, Stewart, Thorne, Troy and Wynne—17.

By permission, Mr. Caho introduced S. R. 111, a resolution in favor of the Oxford Orphan Asylum. Referred to the Committee on Propositions and Grievances.

Mr. Coke introduced S. B. 112, a bill to amend section 12, chapter 63, Battle's Revisal. Referred to the Committee on the Judiciary.

At 12 M. the Senate proceeded to consider S. B. 59, a bill to make embezzlement of the funds or property of any county a felony, it being the special order for that hour.

The bill was read the third time, and passed, ayes 39, nays none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Williams, Wilson, Wynne and York—39.

*Negative*—None.

And was ordered to be engrossed and sent to the House of Representatives.

On motion of Mr. Graham, H. R. 28, (S. R. 93) a resolution in reference to the Wilmington and Weldon Railroad Company, was taken from the Calendar, put upon its second reading and passed.



The bill was then read the third time and passed. Yeas, 22; nays, 14, as follows:

*Affirmative*—Messrs. Bingham, Boddie, Caho, Coke, Crawford, Dortch, Dunn, Folk, Graham, Holt, Hughes, Latham, Mebane of Bertie, Mercer, Moore of Mecklenburg, Robbins, Sandifer, Scales, Stanford, Short, Thorne and Wilson—22.

*Negative*—Messrs. Albright, Askew, Cunningham, Heilig, Johnston, Justice, Marler, Mebane of Rockingham, Nicholson, Roberts, Stickney, Stewart, Williams and York—14.

And was ordered to be enrolled.

On motion of Mr. Graham, the rules were suspended and H. B. 5, (S. B. 56) a bill to provide for the registration of certain deeds, &c., was, with the amendment offered by the Judiciary Committee, taken up.

The amendment was read and adopted.

The question recurring upon the passage of the bill on its third reading, the bill was passed. Ayes, 35; nays, 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dunn, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Williams, Wilson, Wynne and York—35.

*Negative*—Messrs. Dortch and Stanford—2.

And was ordered to be engrossed and sent to the House of Representatives.

A message was received from the House of Representatives announcing the passage of

H. R. 49 (S. R. 113), resolution in favor of John W. Heckstall, of Bertie county.

On motion of Mr. Coke, the rules were suspended, and the bill read the second time and passed.

Under a suspension of the rules, the bill then passed third time. Ayes 39; nays, none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Williams, Wilson, Wynne and York—39.

*Negative*—None.

And was ordered to be enrolled.

Mr. Caho moved to reconsider the vote by which H. B. 40, S. B. 57, a bill for the relief of the tax-payers of North Carolina, was indefinitely postponed on yesterday.

Mr. Stanford moved that the motion of Mr. Caho to reconsider be entered upon the Journal, to be taken up at the pleasure of the Senate.

Mr. Robbins moved to lay the motion to reconsider on the table.

The motion of Mr. Robbins, upon a division, was lost—ayes 14, nays 20.

The motion of Mr. Stanford prevailed.

A message was received from the House of Representatives transmitting the message from his Excellency, the Governor, with accompanying report of the committee appointed to investigate the affairs of the Albemarle and Chesapeake Canal Company.

Also a communication from Seaton Gales, Esq., Secretary of the University, in regard to vacancies in the Board of Trustees of the University, with the proposition to print two hundred copies of each; which was concurred in.

Mr. Mebane of Bertie, by permission, introduced S. B. 114, a bill concerning the exchange of the public documents of



North Carolina, with other States, Territories and Governments. Referred to the Committee on the Judiciary.

On motion of Mr. Marler, the Senate adjourned until tomorrow at 11 o'clock.

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### SIXTEENTH DAY.

SENATE CHAMBER, December 8, 1876.

The Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

The Journal of yesterday was read and approved.

Leave of absence was granted the following gentlemen :

To Mr. Scales, indefinitely.

To Mr. Justice, indefinitely.

To Mr. Holt, indefinitely.

To Mr. Heilig, from and after Monday next until after recess.

Reports from standing committees were submitted.

From Committee on Corporations :

By Mr. Scales: S. B. 94, bill to incorporate Kinston Collegiate Institute, reporting certain amendments, and recommending that the bill as amended do pass.

From Committee on Propositions and Grievances :

By Mr. Dortch: S. B. 101, bill for the protection of paupers, recommending that it do pass.

S. B. 103, bill to make Cape Fear river a lawful fence, recommending that it do pass.

S. B. 104, bill to prohibit the sale of spirituous liquors within three miles of Shocco Chapel and the People's Hall, in Warren county, recommending that it do pass.

From the Committee on Privileges and Elections:

By Mr. Crawford: S. B. 49, bill to change the time of closing the polls on election day, recommending that it do not pass.

Mr. Moore, from the Committee on Enrolled Bills, reported as properly enrolled,

S. R. 64, H. R. 38, resolution of instruction to the Committee on Public Buildings and Grounds;

H. R. 40, S. R. 162, resolution in relation to the inauguration of Hon. Z. B. Vance.

S. R. 91, resolution of instruction to the Joint Committee on Penal Institutions.

S. R. 83 (H. R. 39), resolution instructing our representatives in Congress.

H. B. 46 (S. B. 54), a bill to prohibit the sale of spirituous liquors within two miles of certain churches in Davie county.

H. B. 27 (S. B. 79), a bill to amend chapter 17, section 343, of Battle's Revisal; and

H. R. 41 (S. R. 163), resolution relating to the amended Constitution, which were duly ratified and forwarded to the Secretary of State.

Mr. Johnston, from Committee on Internal Improvements, stated that said committee had under consideration

S. B. No. 67, a bill concerning the Western North Carolina Railroad, but was not ready to report, and asked further time, which was granted.

Mr. Stewart, from the Committee on Engrossed Bills, reported as properly engrossed

S. R. 74, resolution in favor of D. J. Moore.

Mr. Robins, from the Committee on the Judiciary, submitted a minority report upon S. B. 45 and S. B. 46.

Upon motion of Mr. Cunningham, the majority and minority reports upon the above bills were ordered to be printed.



A message was received from the House of Representatives,

H. B. 72, S. B. 116, bill to indemnify Gates county for the support of certain lunatics, which was placed upon the Calendar.

H. R. 46, S. R. 118, resolution to require the President of the Western North Carolina Railroad Company to report progress of collection of claims against Geo. W. Swepson and Milton S. Littlefield. Referred to the Committee on the Judiciary.

Engrossed House amendment to S. B. 65, H. B. 122, bill in relation to changing the gauge of railroads, &c. The amendment was concurred in.

Engrossed House amendments to S. B. 5, H. B. 80, bill to amend an act to incorporate Dan River Navigation Company. The amendments were concurred in.

H. R. 48, S. R. 117, a resolution to raise a joint committee to visit the Western Insane Asylum. Placed upon the Calendar.

H. B. 29, S. B. 115, a bill to prevent attempts to burn dwelling houses and other houses. Referred to the Committee on the Judiciary.

#### INTRODUCTION OF BILLS.

By Mr. Askew: S. B. 119, a bill to repeal chapter 151, Laws of 1874-'5. Referred to the Committee on Finance.

By Mr. Dortch: S. B. 120, a bill to secure the better protection of human life. Referred to the Committee on the Judiciary.

By Mr. Mebane of Bertie: S. B. 121, a bill concerning the paupers of the State of North Carolina. Placed upon the Calendar.

By Mr. Scales: S. R. 122, a resolution instructing the Superintendent to furnish itemized statement of expenditures of the Insane Asylum. Placed upon the Calendar.

On motion of Mr. Scales, the rules were suspended and S. R. 122 was taken up and adopted.

By Mr. Liles: S. R. 123, a resolution on adjournment. Placed upon the Calendar.

On motion of Mr. Scales, the rules were suspended, and S. B. 90, a bill for the relief of sheriffs and tax-collectors, was taken up.

The substitute reported by the Committee on the Judiciary was adopted.

The question recurring upon the passage of the bill on its third reading, the bill passed. Ayes 24; nays 13, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Cahoon, Coke, Dortch, Folk, Heilig, Johnston, Liles, Mabson, Marler, Mebane of Bertie, Moore of Mecklenburg, Robbins, Roberts, Sandifer, Scales, Stanford, Stewart, Short, Thorne, Williams and Wilson—24.

*Negative*—Messrs. Boddie, Bryant, Crawford, Cunningham, Graham, Hughes, Latham, Mercer, Nicholson, Troy, Waddell, Wynne and York—13.

The bill was ordered to be engrossed.

Mr. Mebane of Bertie moved to suspend the rules and take up S. B. 121, bill concerning the paupers of North Carolina, &c.

The Senate refused to suspend the rules.

#### CALENDAR.

The following bills and resolutions were taken from the Calendar and disposed of, as follows:

S. B. 28, bill to amend section 2, chapter 18, Battle's Revisal. The substitute reported by the Committee on Judiciary was adopted, and the bill then passed its second reading.

The bill was put upon its third reading.

Mr. Sandifer offered an amendment to strike out section



4, and insert: "That the summons issued to the sheriff, or other proper officer, shall be attested by the seal of the Court."

The amendment was lost.

The bill then passed its third reading; ayes 34, nays 1, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Folk, Graham, Heilig, Hughes, Johnston, Latham, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne and York—34.

*Negative*—Mr. Sandifer—1.

And was ordered to be engrossed.

Mr. Troy introduced

S. R. 124, resolution to amend the standing rules of the Senate. Placed upon the Calendar.

(The resolution authorizes the President of the Senate to increase the Committees on Judiciary and on County Government to such number as he may deem best.)

S. B. 98, bill to amend section 249, chapter 17, Battle's Revisal, was taken up, put upon its second reading and passed.

The bill then passed its third reading. Ayes, 33; nays, none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Folk, Graham, Heilig, Johnston, Latham, Liles, Marler, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, and York—33.

*Negative*—None.

And was ordered to be engrossed.

S. B. 100, bill to amend chapter 195, Laws of 1874 and 1875, was put upon its second reading.

On motion of Mr. Liles, it was referred to the Committee on Propositions and Grievances.

S. R. 105, resolution concerning an assessment of railroad tax in Jones county, was taken up, and

On motion of Mr. Graham, it was laid upon the table.

S. B. 45 and S. B. 46 were passed over informally.

The President appointed as Senate branch of the Joint Select Committee on State Debt, Messrs. Finger, Holt, Roberts, Green, Graham, Troy and Johnston.

S. R. 124, resolution to amend the standing rules of the Senate, was taken up and adopted.

S. B. 121, a bill concerning the paupers of North Carolina was taken up, and, on motion of Mr. Troy, was referred to the Committee on the Judiciary.

H. R. 48, S. R. 117, resolution to raise a joint committee to visit the Western Insane Asylum, was put upon its second reading.

Mr. Troy moved to amend by striking out after the word "committee" in line two, to and including the word "to" in line six, and insert the following: "Appointed to investigate the Western North Carolina Railroad shall," which was adopted. The resolution then passed its second reading. It was then put upon its third reading.

Mr. Troy moved to amend by striking out the words "during the recess," which was adopted. The resolution then passed its third reading. Ayes 36, nays none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Graham, Hughes, Johnston, Latham, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Stanford,



Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—36.

*Negative*—None.

And was ordered to be engrossed.

S. B. 103, a bill to make the Cape Fear river a lawful fence, was taken up and passed its second reading; was put upon its third reading and passed. Ayes 38; nays, none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Graham, Heilig, Hughes, Johnston, Latham, Liles, Mabson, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—38.

*Negative*—None.

And was ordered to be engrossed.

S. B. 101, bill for the protection of paupers, was put upon its second reading.

Mr. Graham moved to amend by striking out all after the word "section," in section 1st, to the close of the section.

Mr. Askew submitted an amendment to strike out the word "hire," and insert the word "let."

On motion of Mr. Latham, the bill and amendments were referred to the Committee on Judiciary.

On motion of Mr. Thorne, the rules were suspended and

S. B. 104, bill to prohibit the sale of spirituous liquors within three miles of Shocco Chapel, was put upon its second reading and passed.

The bill then passed its third reading; ayes 30, nays 2, as follows:

*Affirmative*—Messrs. Albright, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Graham, Heilig, Hughes, Johnston, Latham, Liles, Mabson, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robbins,

Roberts, Stanford, Stickney, Stewart, Thorne, Troy, Waddell, Wilson and York—30.

*Negative*—None.

And was ordered to be engrossed.

S. B. 94, a bill to incorporate Kinston Collegiate Institute, was put upon its second reading.

The amendments proposed by the Committee on Proposition and Grievances were adopted. Bill then passed its second reading.

It was then put upon its third reading.

Mr. Stewart moved to amend by striking out all of section 2, which was adopted. The bill then passed its third reading. Ayes, 33 ; nays none, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Graham, Heilig, Hughes, Johnston, Latham, Liles, Marler, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—33.

*Negative*—None.

And was ordered to be engrossed.

Mr. Troy moved to reconsider the vote by which S. B. 104 passed its third reading this morning. The motion prevailed.

The question recurred upon its passage on its third reading.

Mr. Troy moved to amend section 1 by striking out the words, " or in any manner give away."

On motion of Mr. Stewart, the bill was recommitted to the Committee on Propositions and Grievances.

On motion of Mr. Moore of New Hanover,

The Senate adjourned until to-morrow, at 11 o'clock A. M.



## SEVENTEENTH DAY.

SENATE CHAMBER, Dec. 9, 1876.

Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

The Journal of yesterday was read and approved.

Leave of absence was granted to the following gentlemen:

To Mr. Stickney, indefinitely, from and after to-day.

To Mr. Mabson, from and after Monday.

Reports from standing committees were submitted, as follows :

From the Committee on Propositions and Grievances :

By Mr. Dortch : S. B. 100, bill to amend chapter 195, Laws of 1874-'75 ; recommending it do not pass.

By Mr. Dortch : S. B. 104, bill to prohibit the sale of spirituous liquors within three miles of Shocco Chapel, &c., Warren county; reporting an amendment, and recommending that, as amended, the bill do pass.

From the Committee on the Judiciary :

By Mr. Coke : H. R. 46, S. R. 118, a resolution to require the President of the Western North Carolina Railroad to report progress of collection of claims against G. W. Swepson and M. S. Littlefield, recommending that it do pass.

From the Committee on Propositions and Grievances :

By Mr. Albright : S. B. 99, a bill to incorporate Gideon's Relief Brotherhood Lodge, No. 1, Fayetteville, N. C., recommending that it be postponed until the notice required by law shall be given.

From the Committee on the Judiciary :

By Mr. Wilson : S. B. 114, a bill concerning the exchange of public documents of the State with other States, &c., recommending that it do pas.

S. B. 110, a bill to amend section 252, Chapter 17, Battle's Revisal, recommending that it do pass.

By Mr. Robbins: S. B. 112, a bill to amend section 12, chapter 63, Battle's Revisal, reporting an amendment, and recommending that, as amended, the bill do pass.

H. B. 29, S. B. 115, a bill to prevent attempts at burning dwelling houses and other houses, recommending that it do pass.

From the Committee on Banks and Currency:

By Mr. Mebane of Rockingham: H. R. 31, S. R. 88, resolution of instruction to the Senators and members of the House of Representatives in Congress from North Carolina, recommending that it do pass.

From the Committee on Insurance:

By Mr. Short: S. B. 31, bill concerning mutual insurance companies, incorporated under the laws of this State, recommending that it do pass.

From the Committee on Education:

By Mr. Stickney: S. B. 36, a bill to amend chapter 68, Battle's Revisal, asking to be discharged from the further consideration of the bill until after recess.

By Mr. Stickney: S. B. 82, a bill for the improvement and reclamation of certain swamp lands in Onslow and other counties, asking to be relieved from its further consideration until after recess.

Mr. Moore of Mecklenburg, from the Committee on Enrolled Bills, reported as properly enrolled the following:

H. R. 39 (S. R. 113), resolution in favor of John W. Heckstall, tax collector of Bertie county.

H. R. 35 (S. R. 92), resolution in reference to the Internal Revenue Laws of the United States.

S. B. 107, H. B. 132, a bill to receive convicts into the penitentiary sentenced for one year or more.

S. B. 29, H. B. 120, a bill to amend section 412 (a) chapter 17, Battle's Revisal.



H. R. 28, S. R. 93, resolution in relation to the Wilmington and Weldon Railroad Company.

Which were duly ratified and forwarded to the Secretary of State.

PETITIONS AND MEMORIALS.

By Mr. Cunningham: petition from Josiah Turner in relation to speculation and fraud. Referred to the Committee on Judiciary.

From the Committee on Judiciary:

By Mr. Folk: H. B. 58, S. B. 83, bill to amend section 2, chapter 18, Battle's Revisal, recommending that it do not pass.

A message from the House of Representatives:

H. B. 41, S. B. 125, bill in favor of Madison county. Placed upon the Calendar.

H. B. 113, S. B. 137, bill to incorporate the town of Cameron, in the county of Moore. Placed upon the Calendar.

H. B. 140, S. B. 128, bill for the general relief of sheriffs and tax collectors. Referred to the Committee on Finance.

H. R. 24, S. R. 129, resolution of protest. Referred to the Committee on Judiciary.

H. R. 56, S. R. 136, resolution on the revised Constitution, was received without engrossment.

On motion of Mr. Folk, the rules were suspended and the resolution passed its second reading.

It was then put upon its third reading and passed; ayes 36, nays none, as follows:

*Affirmative*—Messrs. Askew, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Dunn, Folk, Heilig, Hughes, Johnston, Latham, Liles, Mabson, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Stanford,

Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—36.

*Negative*—None.

And was then ordered to be enrolled.

#### INTRODUCTION OF BILLS.

By Mr. Folk : S. B. 126, a bill to drain Lowe's creek, in Burke and Caldwell counties. Referred to Committee on Propositions and Grievances.

By Mr. Thorne : S. R. 134, resolution in favor of S. W. Mabry, with accompanying petition. Referred to Committee on Finance.

By Mr. Coke : S. B. 130, bill to change the time of holding the Courts of Pamlico county. Referred to the Committee on the Judiciary.

By Mr. Bryant : S. B. 131: Bill to incorporate the town Ringwood, Halifax county. Referred to the Committee on Corporations.

By Mr. Latham : S. B. 132, bill to incorporate Alligator Lodge, No. 78, Independent Order of Odd Fellows. Referred to Committee on Corporations.

By Mr. Boddie : S. B. 133, bill to extend the time for the organization of the Rocky Mount mills.

On motion of Mr. Boddie, the rules were suspended and the bill was put upon its second reading and passed. It was then put upon its third reading.

Mr. Wilson moved to refer the bill to the Judiciary Committee, which motion was lost.

The bill then passed its third reading. Ayes 37, nays none, as follows :

*Affirmative*—Messrs. Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Folk, Heilig, Hughes, Johnston, Latham, Liles, Mabson, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg,



Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—37.

*Negative*—None.

And was ordered to be immediately engrossed and sent to the House of Representatives.

On motion of Mr. Johnston, the rules were suspended, and H. B. 41, (S. B. 125), a bill in favor of Madison county, was put upon its second reading, and passed.

The bill then passed its third reading. Ayes 37, nays none, as follows:

*Affirmative*—Messrs. Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Heilig, Hughes, Johnston, Latham, Liles, Mabson, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—37.

*Negative*—None.

Mr. Johnston moved to reconsider the vote, and moved to lay that motion on the table, which motion prevailed, and the bill was ordered to be enrolled.

By Mr. Williams: S. B. 135, a bill to repeal chapter 76, Laws of 1870-'71. Referred to the Committee on the Judiciary.

On motion of Mr. Caho, the rules were suspended, and the engrossed House amendments to S. B. 68, H. B. 123, a bill supplemental to a supplemental act to lay off and establish the new county of Pamlico, were taken up.

The amendments of the House were concurred in, and the bill was ordered to be enrolled.

On motion of Mr. Robbins, the rules were suspended, and H. B. 113, S. B. 127, a bill to incorporate the town of Cameron, in the county of Moore, was put upon its second reading and passed.

The bill then passed its third reading as follows. Ayes 30; nays none:

*Affirmative*—Messrs. Askew, Bingham, Caho, Coke, Crawford Cunningham, Dortch, Dunn, Folk, Heilig, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne and York—30.

*Negative*—None.

And was ordered to be enrolled.

On motion of Mr. Mebane of Bertie, the rules were suspended and

S. B. 114, bill concerning the exchange of public documents of the State of North Carolina, &c., was taken up and passed its second reading.

The bill then passed its third reading; ayes 35, nays none, as follows:

*Affirmative*—Messrs. Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Heilig, Hughes, Johnston, Latham, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—35.

*Negative*—None.

And was ordered to be engrossed.

On motion of Mr. Coke, the rules were suspended, and

H. B. 72, S. B. 116, bill to indemnify Gates county for the support of certain lunatics, was taken up.

On motion of Mr. Robbins, the bill was referred to the Committee on Finance.

Mr. Short moved to suspend the rules, and take up

S. B. 31, bill concerning mutual insurance companies, incorporated under the laws of this State, &c.



The motion to suspend the rules failed for want of a quorum voting.

Mr. Johnston moved a call of the ayes and nays upon the motion to suspend the rules. The motion to suspend failed ; ayes, 7 ; nays, 26, as follows :

*Affirmative*—Messrs. Askew, Bingham, Johnston, Mabson, Stanford, Short and Thorne—7.

*Negative*—Messrs. Caho, Crawford, Cunningham, Dortch, Dunn, Folk, Heilig, Latham, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Stickney, Stewart, Troy, Waddell, Williams, Wilson, Wynne and York—26.

Mr. Waddell, from the Committee on Engrossed Bills, reported as properly engrossed :

Senate amendment to H. B. 5, (S. B. 56) bill to provide for the registration of certain deeds, and other instruments of writing, and to make valid the registration of others.

S. B. 95, bill to repeal section 13 and amend section 14, chapter 80, Battle's Revisal.

S. B. 89, bill to prevent the felling of trees in the North East river.

S. B. 59, bill to make the embezzlement of the funds of any county, city, incorporated town or of any of the charitable, penal or educational institutions of the State a felony.

Mr. Thorne moved to suspend the rules and take up

S. B. 104, bill to prohibit the sale of spirituous liquors, &c., within three miles of Shocco Chapel, &c., Warren county.

The motion did not prevail.

#### CALENDAR.

The following bills and resolutions were taken up and disposed of as follows :

S. R. 123, resolution on adjournment. On motion of Mr. Liles, it was laid upon the table.

S. B. 49, bill to change the time of closing the polls on election day. On motion it was indefinitely postponed.

H. B. 29, S. B. 115, a bill to prevent attempts to burn dwelling houses and other houses, was read the second time and passed. The bill then passed its third reading. Ayes 35, nays none, as follows :

*Affirmative*—Messrs. Askew, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Dunn, Folk, Heilig, Johnston, Latham, Liles, Mabson, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—35.

*Negative*—None.

And was ordered to be enrolled.

H. B. 58 (S. B. 83), a bill to amend section 2, chapter 18, Battle's Revisal.

On motion, it was indefinitely postponed.

S. B. 36, a bill to amend chapter 68, Battle's Revisal.

On motion, it was indefinitely postponed.

H. R. 31 (S. R. 88), resolution of instruction to Senators and members in Congress from North Carolina, was read its second time and passed. It then passed its third reading. Ayes 32, nays none, as follows :

*Affirmative*—Messrs. Askew, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Folk, Heilig, Johnston, Latham, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—32.

*Negative*—None.

Was then ordered to be enrolled.

S. B. 110, bill to amend section 252, chapter 17, Battle's



Revisal, passed its second reading. It was then put upon its third reading and passed; ayes 30, nays none, as follows:

*Affirmative*—Messrs. Askew, Bingham, Boddie, Bryant, Cahoon, Crawford, Cunningham, Dortch, Dunn, Folk, Heilig, Latham, Liles, Marler, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—30.

*Negative*—None.

And was ordered to be engrossed.

S. B. 100, bill to amend chapter 195, Laws of 1874 and 1875, was, on motion of Mr. Liles, indefinitely postponed.

S. B. 112, bill to amend section 12, chapter 63, Battle's Revisal, was, on motion of Mr. Robbins, indefinitely postponed.

On motion of Mr. Stanford, the Senate adjourned until Monday next, at 11 o'clock.

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## EIGHTEENTH DAY.

SENATE CHAMBER, Dec. 11, 1876.

The Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

The Journal of Saturday was read and approved.

### PETITIONS AND MEMORIALS.

By Mr. Bryant: Petition from the citizens of Ringwood,, Halifax county. Referred to Committee on Corporations.

Reports from standing committees were submitted.

From the Committee on Finance:

By Mr. Troy: H. B. 74, S. B. 116, a bill to indemnify Gates county for the support of certain lunatics, reporting that the committee was equally divided as to the propriety of its passage, and asking to be discharged from its further consideration.

By Mr. Latham: S. B. 119, a bill to repeal chapter 151 Laws of 1874-'75, recommending that it do not pass.

From the Committee on the Judiciary:

By Mr. Robbins: H. B. 13, (S. B. 108) bill to prevent malicious injury to personal property, recommending that it do pass.

By Mr. Folk: S. B. 140, bill to alter the mode of paying Solicitors, reporting a substitute for the same and recommending the substitute do pass.

S. B. 121 and S. B. 101, bills concerning the paupers of North Carolina, recommending that the Senate suspend all action until it be ascertained what will be the nature of the township and county governments under the amendments to the Constitution.

By Mr. Graham: S. B. 120, bill to secure the better protection of human life, recommending the bill be laid on the table, to be taken up in connection with other bills on the same subject.

From the Committee on Finance:

By Mr. Troy: S. R. 134, resolution in favor of S. W. Mabry, recommending that it do not pass.

From the Committee on Corporations:

By Mr. Albright: S. B. 132, bill to incorporate Alligator Lodge, No. 78, Independent Order of Odd Fellows of North Carolina, recommending its postponement until legal notice shall be given as required by law.

The following communication was received from Fabius H. Busbee, Esq., Secretary to College of Electors of North



Carolina, which was read and ordered to be entered upon the Journal :

SENATE CHAMBER,

*Raleigh, N. C., Dec. 6, 1876.*

To Hon. JAMES L. ROBINSON, *President of the Senate of North Carolina :*

SIR:—In accordance with the terms of a resolution unanimously adopted by the College of Electors of President and Vice-President of the United States, for the State of North Carolina, at their session in the Capitol at Raleigh, on the 6th day of December, 1876, I herewith transmit a copy to you, with the request that the same be laid before the Senate of North Carolina :

*“Resolved, That the thanks of the Electoral College be tendered the Senate of North Carolina, for their courtesy in extending to us the use of their Chamber for our deliberations. That the Secretary of this body be requested to transmit a copy of this resolution to the presiding officer of the Senate.”*

Attest :

FABIUS H. BUSBEE,

*Secretary.*

I have the honor to remain,

Very respectfully,

FABIUS H. BUSBEE,

*Secretary Electoral College.*

A message was received from the House of Representatives, announcing that the House had concurred in Senate amendment to H. B. 5, S. B. 56, bill to provide for the registration of certain grants, deeds, and other conveyances, and had ordered the same to be enrolled.

H. B. 135, S. B. 144, bill to allow citizens of Jackson to pass through the toll gates of Swain county free of charge. Placed upon the Calendar.

H. B. 112, S. B. 142, bill to amend section 4, chapter 83, Battle's Revisal. Placed on the Calendar.

H. B. 86, S. B. 143, bill to amend section 23, chapter 105, Battle's Revisal. Referred to the Committee on Judiciary.

H. B. 111, S. B. 141, bill to amend section 40, chapter 87, Battle's Revisal. Placed on the Calendar.

H. B. 115, S. B. 145, bill to provide for the construction of certain roads in Burke, McDowell, Mitchell, Yancey and Caldwell counties. Referred to the Committee on Corporations.

H. B. 148, S. B. 148, bill for the relief of stock raisers in the county of Haywood. Referred to the Committee on Propositions and Grievances.

H. B. 88, S. B. 146, bill for the relief of shad fishermen in Albemarle Sound. Placed upon the Calendar.

H. R. 55, S. R. 147, resolution in favor of Hon. R. M. Pearson and others. Placed on the Calendar.

H. R. 11, S. R. 149, resolution for the relief of the county of Camden for the maintenance of a lunatic for the year 1875. Referred to the Committee on Finance.

The following bills and resolutions were introduced and disposed of, as follows :

By Mr. Bingham : S. B. 137, bill to amend section 44, chapter 63, Battle's Revisal. Referred to the Committee on Judiciary.

By Mr. Askew : S. B. 138, bill in relation to the bonds of county officers. Referred to the Committee on Judiciary.

By Mr. Troy : S. R. 139, resolution of instruction to the State Geologist. Placed on the Calendar.

By Mr. Hughes : S. B. 140, a bill to amend an act to incorporate the Trustees of the Oxford Colored Educational



Association, of Granville county. Referred to the Committee on Corporations.

President Robinson announced the following additional members of committees :

*Committee on County Government*—Messrs. Marler, Justice and Sandifer.

*Committee on the Judiciary*—Messrs. Mebane of Rockingham, Stewart, Ferguson and Bingham.

The President also stated that Mr. Finger had requested to be relieved from services as Chairman of the Committee on State Debt, on account of sickness and other labors ; and that Mr. Cunningham was appointed Chairman of said committee in place of Mr. Finger.

#### THE CALENDAR

Was taken up, and the bills and resolutions disposed of, as follows :

H. R. 467, S. R. 118, resolution to require the President of the Western North Carolina Railroad to report the progress of collection of the claims against George W. Swepson and Milton S. Littlefield, was taken up and adopted.

H. B. 111, S. B. 141, a bill to amend section 40, chapter 87, Battle's Revisal, was read second time and passed. Rules were suspended and the bill passed its third reading. Ayes 33, nays none, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Folk, Graham, Heilig, Hughes, Johnston, Latham, Liles, Marler, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Stanford, Stickney, Stewart, Thorne, Waddell, Wilson, Wynne and York—33.

*Negative*—None.

And was ordered to be enrolled.

H. B. 112, S. B. 142, a bill to amend section 4, chapter 83, Battle's Revisal, was put upon its second reading.

On motion of Mr. Stewart, it was referred to the Committee on the Judiciary.

H. B. 135, S. B. 144, a bill to allow citizens of Jackson county to pass through the toll-gates of Swain county free of charge, was put upon its second reading and passed.

The bill was then put upon its third reading, and, on motion, was referred to the Committee on Propositions and Grievances.

H. B. 88, S. B. 146, a bill for the relief of shad fishermen in Albemarle Sound, was put upon its second reading.

On motion of Mr. York, it was referred to the Committee on Propositions and Grievances.

H. R. 55, S. R. 147, a resolution in favor of Hon. R. M. Pearson and others, was put upon its second reading.

Mr. Nicholson moved its reference to the Committee on Claims, but withdrew the motion.

Mr. Askew moved to strike out "\$100.00" and insert "\$60.00," which motion, upon a division, was lost. Ayes 13; nays 18.

The resolution then passed its second reading.

It was then read the third time and passed. Ayes 24; nays 14, as follows:

*Affirmative*—Messrs. Albright, Bingham, Bryant, Coke, Cunningham, Dortch, Dockery, Folk, Graham, Hughes, Johnston, Mabson, Marler, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robbins, Stickney, Stewart, Short, Thorne, Waddell and Wilson—24.

*Negative*—Messrs. Askew, Boddie, Caho, Crawford, Heilig, Latham, Liles, Mercer, Nicholson, Roberts, Stanford, Troy, Wynne and York—14.

And was ordered to be enrolled.



S. B. 39, a resolution of instruction to the State Geologist, was read and adopted, and ordered to be engrossed.

H. R. —, S. R. 150, resolution for the purchase of stationery, was taken up and referred to the Committee on Finance.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

By Mr. Mebane of Rockingham:

S. R. 151, resolution in favor of Engrossing Clerks and Enrolling Clerk. Under a suspension of the rules the bill passed its second reading, was then read the third time and passed. Ayes 20, nays 17, as follows:

*Affirmative*—Messrs. Askew, Bingham, Bryant, Caho, Cunningham, Dortch, Dockery, Heilig, Hughes, Johnston, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Stanford, Short and Thorne—20.

*Negative*—Messrs. Albright, Boddie, Coke, Crawford, Folk, Graham, Latham, Nicholson, Robbins, Roberts, Stickney, Stewart, Troy, Waddell, Wilson, Wynne and York—17.

And was ordered to be engrossed.

By Mr. Cunningham: S. B. 152, bill to authorize the town of Milton to subscribe ten thousand dollars (\$10,000.00) to the capital stock of the Milton and Sutherlin Narrow Gauge Railroad. Passed its first reading, and placed upon the Calendar.

By Mr. Liles: S. R. 153, resolution to amend Senate Rule No. 43. Read first time and placed upon the Calendar.

#### CALENDAR.

H. B. 72, S. B. 116 bill to indemnify the county of Gates for the support of certain lunatics, was put upon its third reading and passed. Ayes, 22, nays, 14, as follows:

*Affirmative*—Messrs. Askew, Bingham, Bryant, Caho, Coke,

Dortch, Dockery, Folk, Graham, Heilig, Hughes, Johnston, Liles, Marler, Mebane of Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Stanford, Short, Thorne and Troy—22.

*Negative*—Messrs. Albright, Boddie, Crawford, Cunningham, Latham, Mebane of Rockingham, Nicholson, Robbins, Roberts, Stewart, Waddell, Wilson, Wynne and York—14.

And was ordered to be enrolled.

S. R. 134, resolution in favor of S. W. Mabry, was put upon its second reading.

On motion of Mr. Troy, its further consideration was postponed until after recess.

S. B. 120, a bill to secure the better protection of human life, was, on motion of Mr. Graham, laid upon the table.

Mr. Waddell, from the Committee on Engrossed Bills, reported as properly engrossed the following :

S. B. 98, a bill to amend section 349, chapter 17, Battle's Revisal.

S. B. 114, a bill concerning the exchange of the public documents of the State of North Carolina, &c.

S. B. 103, a bill to make Cape Fear river a lawful fence.

Senate amendments to H. R. 48, S. R. 117, resolution to raise a joint committee to visit the Western Insane Asylum.

S. B. 121, a bill concerning the paupers of North Carolina, was put upon its second reading.

On motion of Mr. Wilson, it was laid on the table until after recess.

S. B. 101, bill for the protection of paupers, was, upon motion of Mr. York, laid upon the table.

S. B. 40, bill to alter the mode of paying Solicitors, was put upon its second reading. The substitute reported by the Committee on the Judiciary was read and adopted. The bill then passed its second reading, was read the third time and passed. Ayes 28, nays 4, as follows :

*Affirmative*.—Messrs. Albright, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Folk,



Johnston, Latham, Liles, Mercer, Moore of Mecklenburg, Nicholson, Robbins, Roberts, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—28.

*Negative*.—Messrs. Askew, Graham, Marler, and Mebane of Rockingham—4.

And was ordered to be engrossed.

Mr. Troy, from Committee on Penal Institutions, reported that the committee had under consideration S. R. 91, resolution of instruction to said committee, and asked until after the recess to make a report, which request was granted.

S. B. 119, bill to repeal chapter 151 of the acts of 1874 and 1875, was, on motion of Mr. Latham, indefinitely postponed.

H. B. 13, S. B. 108, bill to prevent malicious injury to personal property, was put upon its second reading and passed. The bill then passed its third reading; ayes 34, nays, 1, as follows:

*Affirmative*.—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Folk, Graham, Heilig, Johnston, Latham, Liles, Marler, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Stanford, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—34.

*Negative*.—Mr. Wynne—1.

And was ordered to be enrolled.

Leave of absence was granted the following gentlemen:

To Mr. Short, from to-morrow until after recess.

To Mr. Sandifer, from to-day until after recess.

On motion of Mr. Liles,

The Senate adjourned until to-morrow morning, at 10 o'clock.

## NINETEENTH DAY.

SENATE CHAMBER, Dec. 12, 1876.

The Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

Prayer by the Rev. Dr. Marshall, of the city.

On motion of Mr. Crawford, the reading of the Journal of yesterday was dispensed with.

Leave of absence was granted as follows :

To Mr. Liles, from and after to-day until after recess.

To Mr. Bingham, from and after to-day until after recess.

To Mr. Coke, from and after to-day until after recess.

Reports from standing committees were submitted as follows :

From the Committee on Corporations :

By Mr. Albright : S. B. 131, bill to incorporate the town of Ringwood, in the county of Halifax, recommending it do pass.

From Committee on Judiciary :

By Mr. Wilson : S. B. 135, bill to repeal chapter 76, Laws of 1870 and 1871, suggesting it be passed over till after recess.

By Mr. Robbins : The petition of Josiah Turner, asking to be discharged from its further consideration.

By Mr. Stewart : H. B. 112, S. B. 142, a bill to amend section 4, chapter 83, Battle's Revisal ; reporting a substitute therefor, and recommending the substitute do pass.

By Mr. Folk : S. B. 130, a bill to change the time for holding the Superior Courts of Pamlico county, recommending that action thereon be suspending for the present.

By Mr. Graham : S. B. 137, a bill to amend section 44, chapter 63, Battle's Revisal, reporting a substitute therefor, and recommending that the substitute do pass.

From the Committee on Finance :



By Mr. Troy: H. R. —, S. R. 150, a resolution to purchase stationery, reporting a substitute, and recommending that the substitute do pass.

By Mr. Graham: H. B. 140, S. B. 128, a bill for the general relief of sheriffs and tax-collectors, recommending that it do not pass.

From the Committee on Corporations:

By Mr. Albright: H. B. 115, S. B. 145 bill to provide for the construction of certain roads in Burke, McDowell, Yancey, Mitchell and Caldwell counties, recommending that it do pass.

From the Committee on Propositions and Grievances:

By Mr. Dortch: H. B. 88, S. B. 146, bill for the relief of shad fishermen in Albemarle Sound, recommending that it do pass.

S. B. 60, bill to allow E. W. Taylor, late sheriff of Brunswick county, and Nixon Ottoway, tax collector, &c., to collect arrears of taxes; recommending that as the relief sought can be obtained under another bill, it do not pass.

H. B. 135, S. B. 144, bill to allow citizens of Jackson county to pass through the toll-gates of Swain county free of charge, recommending it do pass.

From the Committee on Printing:

By Mr. Wilson: a resolution, S. R. 154, directing the Public Treasurer to pay the Public Printer, accompanied by a statement of the State Auditor. Placed upon the Calendar.

On motion of Mr. Wilson, the rules were suspended, and S. R. 154 was taken up and passed its second reading. It was then read the third time and passed. Ayes, 28, nays, 1, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Cahoe, Coke, Crawford, Cunningham, Folk, Graham, Heilig, Hughes, Johnston, Marler, Moore of Mecklenburg,

Nicholson, Robbins, Roberts, Stanford, Stewart, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—28.

*Negative*—Mr. Dortch—1.

And was ordered to be engrossed.

Mr. Cunningham, from the Committee on the State Debt, requested that S. B. 48, bill to commute and settle the State debt, which was then in the hands of the committee, be ordered to be printed, which was done.

On motion of Mr. Graham, the rules were suspended and H. R. —, S. R. 150, resolution concerning the purchase of stationery, was put upon its second reading. The substitute reported by the Judiciary Committee was adopted. The resolution then passed its second reading, was read the third time and passed. Ayes, 37, nays none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Cunningham, Dortch, Dunn, Folk, Graham, Heilig, Hughes, Johnston, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Stanford, Stewart, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—30.

*Negative*—None.

And was ordered to be sent to the House of Representatives without engrossment.

On motion of Mr. Cunningham, the rules were suspended and

S. B. 152, bill to authorize the town of Milton to subscribe ten thousand dollars (\$10,000) to the capital stock of the Milton and Southerlin Narrow Gauge Railroad, was put upon its second reading and passed; ayes 31, nays none, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Graham, Heilig, Hughes, Johnston, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover,



Nicholson, Robbins, Roberts, Stanford, Stewart, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—31.

*Negative*—None.

A message was received from the House of Representatives :

H. B. 93, S. B. 155, a bill to extend the time of the sheriffs of Dare and Carteret counties to settle with the State Treasurer. Placed upon the Calendar.

H. R. 62, S. R. 156, resolution appointing a committee to consider the Constitutional amendments. Placed upon the Calendar.

H. B. 144, S. B. 157, bill to amend section 2, chapter 56, Battle's Revisal. Referred to the Committee on the Judiciary.

H. B. 147, S. B. 158, bill to amend chapter 239, Laws of 1874-'75. Placed upon the Calendar.

H. R. 61, S. R. 159, resolution in favor of W. F. King. Placed upon the Calendar.

Mr. Cunningham moved to reconsider the vote by which

S. R. 154, resolution directing the Public Treasurer to pay the Public Printer, which passed its third reading this morning, in order that he might add a ratifying clause thereto.

The motion prevailed ; the clause was added, and the resolution passed unanimously.

On motion of Mr. Williams, the rules were suspended, and S. B. 135, bill to repeal chapter 76, Laws of 1870-'71, was put upon its second reading, and on a division was passed. Ayes 18, nays 7. The bill was then put upon its third reading.

Mr. Williams demanded the previous question, which was ordered. The bill then passed its third reading. Ayes 18, nays 12, as follows :

*Affirmative*—Messrs. Albright, Askew, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Graham, Liles, Moore of

Mecklenburg, Nicholson, Roberts, Stanford, Stewart, Thorne, Williams and Wilson—18.

*Negative*—Mr. President, Messrs. Bryant, Dunn, Hughes, Johnston, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Robbins, Troy, Waddell and Wynne—12.

And was ordered to be immediately engrossed and sent to the House of Representatives.

On motion of Mr. Caho, the rules were suspended, and

H. B. 93, S. B. 155, bill to extend the time of the sheriffs of Dare and Carteret counties to settle with the Treasurer, was put upon its second reading.

On motion of Mr. Graham, the bill was laid upon the table.

A message was received from the House of Representatives announcing that that body had concurred in the Senate amendment to H. R. 48, (S. R. 117) resolution to raise a joint committee to visit the Western Insane Asylum, and had ordered the same to be enrolled for ratification.

On motion of Mr. Dunn, the rules were suspended and H. B. 147, S. B. 158, bill to amend chapter 239, Laws of 1874 and 1875, was put upon its second reading and passed. The bill was then put upon its third reading and passed. Ayes, 20; nays 6, as follows:

*Affirmative*—Messrs. Askew, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Hughes, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robbins, Stanford, Troy, Waddell, Wilson and Wynne—20.

*Negative*—Messrs. Albright, Graham, Johnston, Nicholson, Stewart and Thorne—6.

Mr. Moore of Mecklenburg, from the Committee on Enrolled Bills, reported as properly enrolled:

S. B. 68, H. B. 123, bill supplemental to a supplemental act to lay off and establish the new county of Pamlico.

S. B. 133, H. B. 146, bill to extend the time of the organization of the Rocky Mount Mills.



S. B. 22, H. B. 119, bill for the relief of purchasers of certain lands in Clay and Macon counties ;

S. R. 136, H. R. 56, resolution on the Revised Constitution ;

S. B. 115, H. B. 29, bill to prevent attempts to burn dwelling houses and other houses ;

S. B. 127, H. B. 43, bill to incorporate the town of Cameron, in the county of Moore ;

S. B. 65, H. B. 122, bill in relation to changing the gauge of railroads, &c. ;

S. B. 5, H. B. 80, bill to amend an act to incorporate the Dan River Navigation Company ;

S. B. 125, H. B. 41, bill in favor of Madison county ,

All of which were duly ratified and forwarded to the Secretary of State.

Mr. Waddell, from Committee on Engrossed Bills, reported as properly engrossed,

S. B. 90, bill for the relief of sheriffs and tax collectors ;

S. R. 151, resolution in regard to the Enrolling and Engrossing Clerks ;

S. R. 154, resolution directing the Public Treasurer to pay the Public Printer.

On motion of Mr. Folk, the rules were suspended and

H. B. 115, S. B. 145, bill to provide for the construction of certain roads in Burke, McDowell, Yancy, Mitchell and Caldwell counties, was put upon its second reading and passed. It was then read the third time and passed. Ayes 24, nays 2, as follows :

*Affirmative*—Messrs. President, Albright, Askew, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Folk, Graham, Hughes, Johnston, Mebane, of Bertie, Mebane, of Rockingham, Moore, of Mecklenburg, Moore, of New Hanover, Nicholson, Robinson, Standford, Thorne, Troy, Waddell, Wilson—24.

*Negative*—Bryant, Dunn—2.

And was ordered to be enrolled.

By permission, Mr. Folk introduced S. B. 160, bill to aid in the construction of the Chester and Lenoir Narrow Gauge Railroad, and the Watauga and Caldwell Narrow Gauge Railroad. Placed upon the calendar.

The President announced as the Senate Branch of the Joint Select Committee to investigate the affairs of the Western North Carolina Railroad and the Western Insane Asylum, Messrs. Troy and Dortch.

#### CALENDAR.

H. R. 62, S. R. 156, resolution to appoint a committee to consider the constitutional amendments, was, on motion of Mr. Folk, laid upon the table.

H. B. 88, S. B. 146, bill for the relief of shad fishermen in Albemarle Sound, was put upon its second reading and passed.

On motion of Mr. Coke, the rules were suspended and the bill was put upon its third reading.

Mr. Caho offered to amend by inserting after the word "Albemarle," the words "Pamlico and Currituck," which was adopted.

The bill as amended then passed its third reading, ayes 24, nays 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Boddie, Bryant, Caho, Coke, Cunningham, Dortch, Dunn, Folk, Graham, Hughes, Johnston, Mebane, of Rockingham, Moore, of Mecklenburg, Nicholson, Robbins, Standford, Stewart, Thorne, Troy, Waddell, Wilson, Wynne—24.

*Negative*—Messrs. Mebane, of Bertie, Moore, of New Hanover—2.

The Senate amendment was ordered to be engrossed and sent to the House of Representatives.

On motion of Mr. Mebane, of Rockingham, the Senate adjourned until to-morrow morning at 8½ o'clock.



## TWENTIETH DAY.

SENATE CHAMBER, Dec. 13th, 1876.

Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

On motion of Mr. Moore, of New Hanover, the reading of the Journal of yesterday was dispensed with.

Mr. Moore, of New Hanover, stated that he voted in the negative on yesterday, on H. B. 88, S. B. 146, a bill regarding the shad fishermen of Albemarle Sound, on its third reading, under a misapprehension, and desired that he be entered upon the Journal as favoring the measure, which was ordered.

Mr. Mebane, of Bertie, made a similar statement and request concerning the same bill, and was permitted to be recorded upon the Journal as favoring the bill.

The President appointed as a temporary committee on Enrolled Bills, Messrs. Dortch and Robins.

On motion of Mr. Mebane, of Rockingham, the Senate took a recess for ten minutes.

The Senate was called to order by the President.

The Committee on Enrolled Bills reported as correctly enrolled ;

H. B. 111, S. B. 141, bill to amend chapter 87, section 40, Battle's Revisal ;

H. B. 13, S. B. 108, bill to prevent malicious injury to personal property ;

H. B. 72, S. B. 116, bill to indemnify Gates county for the support of certain lunatics ;

H. R. 55, S. R. 147, resolution in favor of Honorable R. M. Pearson and others ;

S. R. 117, H. R. 48, resolution to raise a joint committee to visit the Western Insane Asylum ;

H. R. 46, S. R. 118, resolution to require the President of

the Western North Carolina Railroad Company to report progress of collection of claims against G. W. Swepson and M. S. Littlefield ;

H. B. 115, S. B. 145, bill to provide for the construction of certain roads in Burke, McDowell, Yancy, Mitchell and Caldwell counties;

H. B. 147, S. B. 158, bill to amend chapter 239, laws of 1874 and 1875;

S. B. 103, H. B. 160, bill to make Cape Fear river a lawful fence;

S. R. 154, H. R. 64, resolution to pay Public Printer ;

S. R. 151, H. R. 63, resolution regarding the Enrolling and Engrossing Clerks ;

Which were duly ratified and forwarded to the Secretary of State.

The hour for adjournment having arrived,

Mr. President Robinson declared the Senate adjourned until 12 M. of Saturday, December 30th, 1876.

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## TWENTY-FIRST DAY.

SENATE CHAMBER, Dec. 30th, 1876.

Pursuant to adjournment, the Senate met at 12 M., Mr. Graham in the chair.

The Clerk called the roll and the following Senators answered their names :

Went, Coke, Crawford, Dortch, Finger,  
, Roberts, Sandifer, Stanford, Thorne



The President *pro. tem.* announced no quorum present, and,

On motion of Mr. Finger, the Senate adjourned until Monday morning at 10 o'clock.

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## TWENTY-SECOND DAY.

SENATE CHAMBER, Jan. 1st, 1877.

Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

The Journal of the 13th and 30th days of December 1876 were read and approved.

The roll was called, and the following Senators answered to their names :

Messrs. Albright, Askew, Bennett, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Latham, Liles, Mebane, of Bertie, Mebane, of Rockingham, Mercer, Moore, of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson, York and Young—35.

Mr. Wilson stated that Senator Marler was detained at home on account of extreme illness, and asked that indefinite leave of absence be granted him, which was done.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of as follows :

By Mr. Stanford: S. B. 164, a bill to regulate the rate of interest and to repeal chapter 84, public laws of 1874-'75. Referred to Committee on Banks and Currency.

By Mr. Dortch: S. B. 165, a bill to increase the jurisdiction of Justice of the Peace. Referrred to Committee on Judieiary.

By Mr. Dortch: S. B. 166, a bill to provide for the gov-

ernment of counties. Referred to Committee on County Government.

By Mr. Mebane, of Rockingham : S. B. 157, a resolution as to heating the Senate Chamber.

Under a suspension of the rules, the resolution was put upon its passage. Mr. Coke moved to amend by striking out words "and more economically" which was accepted.

The resolution was then adopted.

By Mr. Liles : S. R. 168, a resolution of thanks to President Robinson. Placed upon the Calendar.

On motion of Mr. Cunningham, the rules were suspended and S. B. 152, a bill to authorize the town of Milton to subscribe \$10,000 to the capital stock of the Milton and Sutherlin Narrow Gauge Railroad was taken up and passed its third reading. Ayes 29, nays, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Finger, Graham, Heilig, Holt, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robins, Roberts, Sandifer, Standford, Short, Thorne, Waddell, Wilson, York—29.

*Negative*—None.

On motion of Mr. Finger, Hon. R. F. Armfield, late Lieutenant Governor of the State was invited to a seat on the floor of the Senate.

On motion of Mr. Johnston, Hon. T. W. Taylor, late Senator from Henderson county, was invited to a seat on the floor of the Senate.

The President announced as the special Committee under S. R. 167, resolutions as to the heating the Senate Chamber adopted this morning. Messrs. Mebane of Rockingham, Moore, of Mecklenburg and Thorne.

A message was received from the House of Representatives, transmitting without engrossment, H. R.—S. R. 169, a resolution relative to the better heating, of the Senate Chamber and the Hall of the House of Representatives.



On motion of Mr. Mebane, of Rockingham the rules were suspended and the resolutions was put at once upon its passage.

Mr. Johnston moved to amend by inserting after the Words "stoves," the words "or otherwise," which was adopted.

The resolution was then adopted and as amended ordered to be transmitted to the House of Representatives without engrossment.

Message was received from the House of Representatives—H. B. 164, S. B. 171, bill for the relief of the Sheriff of Carteret county.

On motion of Mr. Short, the rules were suspended and the bill passed its second reading.

It was then read the third time and passed, ayes 31, nays 0, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Latham, Liles, Mebane, of Bertie, Mebane, of Rockingham, Mercer, Moore Mecklenburg, Moore of New Hanover, Robins, Roberts, Sandifer, Standford, Short, Thorne, Waddell, Wilson and York—31.

*Negative*—None.

It was then ordered to be forthwith enrolled.

Mr. Liles moved a suspension of the rules and take up S. R. 168, resolution of thanks to the President of the Senate, Hon. J. L. Robinson.

The rules were suspended (Mr. Johnston in the chair) and the resolution read and unanimously adopted, as follows:

*Resolved*, That for his uniform courtesy and kindness, as well as his discriminative and just discharge of his duties as President *pro tempore* of the Senate, the thanks of the Senate are due and are hereby tendered to the Honorable James L. Robinson.

On motion of Mr. Holt, the Senate took a recess until 11 o'clock and 45 minutes.

The Senate was called to order by President Robinson.

Mr. Moore from the Committee on Enrolled Bills reported as correctly enrolled a bill to repeal Chap. 76, Laws of 1870 and 1871, and the same was duly ratified and ordered to be transmitted to the Secretary of State.

The President announced as Senate Branch of Joint Committee relative to heating the Capitol, Mr. Mebane, of Rockingham.

Mr. Scales moved that when the Senate adjourn, to day, it adjourn till to-morrow at 10 o'clock A. M., which was adopted.

A message was received from the House of Representatives informing the Senate that the House had concurred in Senate amendment to H. R. —, S. R. 169, resolution relating to heating the Capitol, and had ordered the same enrolled for ratification.

Mr. President Robinson then delivered an address of thanks to the Senate as follows:

“SENATORS OF NORTH CAROLINA:—It is always gratifying to hear pleasant things said of ourselves, and especially so when we feel that we have endeavored to deserve them. I thank you for the kind expression contained in the resolution just adopted. I will take with me through life a vivid and pleasant remembrance of the distinguished honor you have done me in calling me to preside over your deliberations. I shall cherish for each Senator the kindest feelings, and thank you for the generous support you have given me in discharging the duties of my position. In now formally retiring from the chair I repeat my assurance of thanks for your confidence, and bespeak your support and assistance for my able and distinguished successor.”

On motion of Mr. Graham, the Senate adjourned.



## TWENTY-THIRD DAY.

SENATE CHAMBER, Jan. 2d, 1877.

The Senate met pursuant to adjournment.

Mr. President Robinson in the chair.

Prayer by Rev. Dr. Marshall of the city.

The Journal of yesterday was read and approved.

Reports from standing committees were submitted as follows:

From the Committee on Engrossed Bills:

By Mr. Waddell: Engrossed Senate amendment to H. B. 88, S. B. 146, a bill for the relief of the shad fishermen in Albemarle Sound.

A message was received from the House of Representatives, H. B. 114, S. B. 176, bill entitled an Act to incorporate the town of Laurinburg, in the county of Richmond, which was referred to the Committee on Corporations.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

By Mr. Coke: S. B. 86, bill to settle the ridings of the several Judicial Districts of this State among the Judges of the Superior Courts. Placed upon the Calendar.

By Mr. Cahoon: S. B. 172, a bill to amend the charter of the city of Newberne. Referred to the Committee on Corporations.

By Mr. Mebane, of Rockingham: S. B. 173, bill in relation to the probate of deeds and conveyances, and the privy examination of married women. Referred to Committee on Judiciary.

By Mr. Cunningham: S. B. 174, bill to incorporate the Milton and Sutherlin Narrow Gauge Railroad Company. Referred to Committee on Internal Improvements

By Mr. Ferguson: S. B. 175, bill to amend section 75 and

76, chapter 33, Battle's Revisal, and to regulate the manner of summoning jurors in capital cases. Referred to Committee on the Judiciary.

By Mr. Latham: A petition from citizens of the city of Newberne, and Craven county. Referred to Committee on the Judiciary.

On motion of Mr. Coke, the rules were suspended and S. B. 86, bill to settle the ridings of the several Judicial Districts of this State amongst the Judges of the Superior Courts, was put upon its second reading and passed.

The bill was then put upon its third reading.

Mr. Troy moved its reference to the Committee on the Judiciary. The motion did not prevail.

The bill then passed its third reading. Ayes, 37; nays, 1, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson, Wynne, York—37.

*Negative*—Mr. Bryant—1.

#### CALENDAR.

S. B. 46, bill to repeal chapter 245, laws 1874 and 1875, was put upon its second reading.

Pending consideration, on motion of Mr. Cunningham, the bill was postponed until to-morrow morning at 11½ o'clock and made the special order for that hour.

H. R. 61, S. R. 159, resolutions in favor of W. F. King. On motion of Mr. Latham the bill was referred to the Committee on Claims.

H. B. 140, S. B. 128, bill for the relief of Sheriffs and tax



collectors, reported adversely upon by the Judiciary Committee, was put upon the second reading.

Pending its consideration the hour for the installation of the Lieutenant Governor elect, Hon. T. J. Jarvis arrived and the Committee consisting of Mr. Troy of the Senate and Mr. Roberts of the House of Representative was announced accompanied by the Lieutenant Governor.

They were invited forward by the President, Mr. Robinson, and Mr. Troy presented Mr. Jarvis as follows:

“MR. PRESIDENT:—I have the honor to announce the presence of Lieutenant-Governor Jarvis, who has taken the oath of office, and is now ready to be inducted into the chair of the President of the Senate and to assume the duties thereof.”

Mr. President Robinson addressing Mr. Jarvis, said:

“LIEUT. GOV. JARVIS.—It is with unaffected pleasure that I surrender to you, sir, as the chosen officer of the free people of our great state, the emblem of my authority as the presiding officer of the Senate. [Handing him the gavel.] I congratulate the Senate, as well as the whole people of North Carolina, on the accession of one so able and so competent to discharge the important duties of your position. It will be one of the proud recollections of my life that in doing so I am performing one of the acts that thousands have assembled to witness—the restoration of true representative government in North Carolina—a government of the people, by the people, and for the people.

To which Mr. Jarvis replied:

“SENATORS:—Having been called by the people of North Carolina to preside over your deliberations, I am here at the time appointed by the constitution, and having taken

the oath of office, am prepared to enter upon the discharge of my duties. When I look around me and see the many distinguished gentlemen who are to take part in the proceedings of the Senate over which I am to preside, I am deeply impressed with the dignity and responsibility of the position I am about to assume. Every emotion of my heart goes out in gratitude to the people for this great manifestation of their confidence. I shall at all times labor with singleness of purpose to prove myself worthy of their esteem by faithfully and fearlessly, but kindly and impartially, discharging every duty imposed upon me. In doing this, gentlemen, I earnestly invoke your assistance and friendship, and beg that you will aid me by your wisdom, and strengthen me by your kind encouragement.

"Pardon me, Senators, if I pause to indulge in a few reflections suggested by our present surroundings. We stand to-day upon the threshold of a new year. Its solemn and mysterious import is breaking upon the world. We must take our share of its labors and responsibilities. The old year with its history lies buried in the grave of the past. With a tear for its sorrows and a smile for its joys, let us turn from it to the living present and hopeful future. With the year that has died certain features of the government of North Carolina passed quietly away. In bidding them farewell, let no bitter words be uttered. Our business is with the propitious present, and to it let us turn.

"Yesterday we inaugurated Zebulon B. Vance Governor of North Carolina. It was the magic power of his name that worked this mighty revolution in the State, and that brought such a concourse of our countrymen to the Capital yesterday. To him the people have committed the execution of the laws with an assurance of their confidence never before given to any man. We know that that confidence has not been misplaced. We well know that he will execute every law with kindness to all, with partiality to none—the whole people will be the objects of his solicitude and



care. His mighty powers will be used to bring back to his and our old State her former grandeur and greatness ; to her people unexampled prosperity and happiness .

“But, Senators, what law is he to execute ? The answer is with us. Whether it be good or bad, wise or unwise, depends upon how well we keep our pledges to the people. We promised them laws that should know no man in the protection they give, or the burdens they impose. We promised the people reform and relief. If we fail to give it to them, we cannot plead, as other Legislators have done, that we did not have the power. Yesterday the amendments to the constitution, so recently ratified by the people, became a portion of our organic law. They give us enlarged powers. Many of our people opposed this grant of power. Not a few of our colored fellow-citizens even to-day fear it will be used to their detriment. Let our acts teach them there was no cause for such fears, and that all their rights will be held sacred by us. If you fail to use the power given you by these amendments, the people will not hold you guiltless. If you abuse it, they will condemn you. Varied and manifold are the questions that are to come before you. An appeal for relief will come up from one section. Another will ask for aid to help them open up their land of hidden wealth and sublime grandeur and beauty. All sections will demand the most rigid economy.

“Wise statesmanship calls for the education of the rising generation. The means to do this, so far as it is done by the State, must be provided by you. Many other grave questions will demand your attention.

“You then have a great work before you. In this work I am to be a co-laborer with you. I am to administer the rules which you yourselves have made for your own government. I am not unmindful of the fact that, upon a proper enforcement of these rules depends, to a great degree, the speedy conclusion of your labors and the good order and decorum of your body. It shall be my purpose to per-

form well my part. With your kind assistance I hope to be able to do so. I earnestly hope nothing will occur to disturb the harmony and good feeling that should at all times mark your deliberations.

"I enter upon my duties with the kindest feelings to all. Some of you I meet to-day for the first time. Many are friends of years, and a few of you the friends of my childhood. It will be my pleasure to cultivate these friendly relations. May each day of our intercourse add strength to the ties of friendship that now bind us, so that when the day of separation comes, as come it must, we may hold each other in high esteem, and carry with us to our homes only pleasant recollections.

"I am sure I shall have the co-operation of the officers of the Senate. They shall certainly have mine. With these remarks, gentlemen, and invoking the friendship and support of you all, I am ready to proceed with the business of the Senate."

The question recurring upon the passage of H. B. 140, S. B. 128, a bill for the general relief of sheriffs and tax collectors on its second reading,

On motion of Mr. Graham the bill was laid on the table.

S. B. 160, a bill to aid in the construction of the Chester and Lenoir Narrow Gauge railroad and the Watauga and Caldwell Narrow Gauge railroad, was put upon its second reading.

Mr. Finger moved to refer to the Committee on Internal Improvements.

Mr. Coke moved to amend by referring to the Committee on Corporations. Mr. Coke's amendment prevailed.

S. B. 137, a bill to amend section 44, chapter 63, of Battle's Revisal, was put upon its second reading.

The substitute reported by the Committee on the Judiciary was adopted.

The bill then passed its second reading.



Mr. Johnston moved to reconsider the vote by which S. B. 160, a bill to aid in the construction of the Chester and Lenoir Narrow Gaugerailroad and the Watauga and Lenoir Narrow Gauge railroad was referred to the Committee on Corporations, with a view to move its reference to the Committee on Internal Improvements.

The motion of Mr. Johnston prevailed.

The question then recurred upon the motion of Mr. Coke to amend the motion of Mr. Finger by referring the bill to the Committee on Corporations. Pending the consideration,

On motion of Mr. Crawford, of Rowan, the Senate adjourned till to-morrow morning at 10 o'clock.

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## TWENTY-FOURTH DAY.

SENATE CHAMBER, January, 30, 1877.

The Senate met pursuant to adjournment.

Lieutenant Governor Jarvis in the chair.

The journal of yesterday was read and approved.

### PETITIONS.

By Mr. Robins, petitions from citizens of Randolph county. Referred to Committee on Banks and Currency.

Reports from Standing Committees were submitted as follows:

From Committee on Judiciary:

By Mr. Robins, H. B. 144, S. B. 157, bill to amend sec. 2, Chapter 56, Battles Revisal, recommending it do pass.

## UNFINISHED BUSINESS.

S. B. 160, bill to aid in the construction of the Chester and Lenoir N. G. R. R. and Watauga and Caldwell N. G. R. R., came up as unfinished business.

The question recurred on motion of Mr. Coke to refer the bill to Committee on Corporations.

Mr. Folk favored the motion of Mr. Coke.

Mr. Johnston urged its reference to the Committee on Internal Improvements.

Mr. Sandifer favored the motion of Mr. Coke.

The motion of Mr. Coke, prevailed on a division. Ayes 22, nays 11.

By permission, Mr. Moore of New Hanover, introduced S. B. 177, resolution in favor of laboring people. Placed on the Calendar.

By permission, Mr. Standford introduced S. B. 178, bill to punish assaults with deadly weapons. Referred to the Committee on the Judiciary.

On motion of Mr. Graham, leave of absence was granted to the Door-Keeper of the Senate until Tuesday next.

## CALENDAR.

S. B. 153, resolution to amend rule 43 of the Senate, was taken up and adopted.

S. B. 30, a bill to amend chapter 37, Battle's Revisal, so as to make abandonment on the part of the husband a cause for divorce from the bonds of matrimony.

On motion of Mr. Graham, the bill was re-committed to Committee on the Judiciary.

S. B. 76, a bill for the relief of Goose Creek, &c., was put upon its second reading.

Mr. Caho moved to amend by inserting after the words "Baird's Creek," the words "also Dawson and Smith's Creek," which was adopted



The bill then passed its second reading, and was put upon its third reading.

Mr. Moore of New Hanover, opposed the bill.

Mr. Caho, urged its adoption.

The bill then passed. Ayes 36, nays 1, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Wilson, York—36.

*Negative*—Moore of New Hanover.

And was ordered to be engrossed.

A message was received from the House of Representatives.

H. B. 91, a bill to settle the ridings of the Judges of the Superior Courts.

On motion of Mr. Graham, the bill was laid upon the table.

S. B. 137, a bill to amend section 44, chapter 63, Battle's Revisal, was taken up and put upon its second reading.

The substitute reported by the Committee on the Judiciary was adopted.

The bill then passed its second reading.

Under a suspension of the rules the bill passed its third reading, Ayes 38, nays 1, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Finger, Folk, Graham, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—38.

*Negative*—Moore of New Hanover.

And was ordered to be engrossed.

A message from the House of Representatives,

H. B. 134, S. B. 179, bill to allow mechanics sixty days within which to file their liens. Referred to the Committee on the Judiciary.

At 11½ o'clock the Senate proceeded to consider S. B. 46, a bill to repeal chapter 245, laws of 1874-'75, it being the special order for that hour.

Mr. Troy moved to postpone till Monday next at 11 o'clock.

Mr. Cunningham opposed its postponement.

Mr. Robins opposed its postponement.

Messrs. Bingham and Scales favored the motion of Mr. Troy.

On division the motion to postpone prevailed.

S. B. 82, bill for the reclamation of certain swamp lands in Onslow and other counties was taken up.

On motion of Mr. Standford it was ordered to be recommended to Committee on Education.

S. B. 131, a bill to incorporate the town of Ringwood, in the county of Halifax, was put upon its second reading and passed.

Under a suspension of the rules the bill passed its third reading. Ayes 37, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Waddell, Wilson, Wynne and York—37.

*Negative*—None.

And was ordered to be engrossed.

H. B. 112, S. B. 142, bill to amend chapter 83, section 4, Battle's Revisal, was put upon its second reading.

The substitute reported by the Committee on the Judiciary was adopted.



The bill then passed its second reading.

Was then put upon its third reading and passed, Ayes 36, nays 0, follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mercer, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne and York—36.

*Negative*—None.

And was ordered to be engrossed.

A message from the House of Representatives.

H. B. 171, S. B. 180, a bill for the relief of delinquent sheriffs. Placed upon the Calendar.

H. R. 68, S. R. 181, a resolution authorizing the joint select Committee on heating the Capitol to let out a contract to heat the halls of the two Houses. Placed upon the Calendar.

Mr. Mebane of Rockingham, moved to take up H. R. 68, S. R. 181, relative to heating the Capitol, and put upon its second reading, motion prevailed and the resolution passed its second reading.

By permission, Mr. Coke, introduced S. B. 162, bill to authorize County Commissioners of Camden county, to subscribe \$10,000 on account of the "Court House township" to the Elizabeth City and Norfolk Railroad. Placed upon the Calendar.

On motion of Mr. Latham the rules were suspended and H. B. 171, S. B. 180, a bill for the relief of delinquent sheriffs, was taken up and passed its second reading.

The bill then passed its third reading, ayes 36, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Latham,

Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne and York—36.

*Negative*—None.

Mr. Robinson moved to reconsider the vote and moved to lay that motion on the table. The motion prevailed.

On motion of Mr. Mebane of Rockingham, the rules were suspended and H. R. 68, S. R. 181, resolution relating to heating the Capitol, was upon its third reading.

The report of the select committee on heating the Capitol was read.

Mr. Sandifer offered the following as a proviso to the resolution.

“Provided, that no arrangement for heating the Senate Chamber shall cause the closing up of the fire places.”

Mr. Scales moved to amend the amendment by adding: “except by sheet iron which may be removed at pleasure.”

Mr. Sandifer opposed the amendment of Mr. Scales.

Mr. Scales withdrew his amendment by consent.

The amendment of Mr. Sandifer failed to pass.

The resolution thus failed to pass its third reading, ayes 17, nays 19, as follows.

*Affirmative*—Messrs. Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnson, Justice, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Scales, Stanford and Short—17.

*Negative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Crawford, Cunningham, Latham, Mercer, Nicholson, Robins, Roberts, Sandifer, Stewart, Thorne, Waddell, Wilson, Wynne and York—19.

By permission Mr. Mebane of Bertie, introduced S. B. 183, bill to prevent the sale of spirituous or malt liquors on the Sabbath day. Placed on the Calendar.



S. B. 184, bill regarding minors. Referred to Committee on Judiciary.

S. B. 185, bill concerning Battle's Revisal. Referred to Committee on Judiciary.

Mr. Waddell, from the Committee on Engrossed Bills, reported as correctly engrossed :

S. B. 135, bill to repeal chapter 76, laws of 1870-'71 ;

S. B. 94, a bill to incorporate Kinston Collegiate Institute ;

S. B. 40, bill to destroy one half fees of Solicitors ;

S. B. 139, resolution of instruction to State Geologist ;

S. B. 110, bill to amend section 252, chapter 17, Battle's Revisal.

Mr. Crawford moved to reconsider the vote by which H. R. 68, S. R. 181, failed to pass its third reading.

The motion prevailed, and, on motion of Mr. Crawford, the resolution was postponed until to-morrow at 12 o'clock, and made the special order for that hour.

S. B. 130, bill to change the time for holding the Superior Courts of Pamlico county. On motion of Mr. Caho, it was laid upon the table.

S. B. 60, bill for the relief of E. W. Taylor, late sheriff, and Nixon Ottaway, tax collector, of Brunswick county, was, upon motion of Mr. Bingham, laid upon the table.

H. B. 135, S. B. 144, bill to allow citizens of Jackson county to pass through the toll-gates of Swain county free of charge, was taken up and passed its second reading.

Under a suspension of the rules the bill passed its third reading. Ayes 39, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stewart,

Short, Thorne, Troy, Waddell, Wilson, Wynne and York—39.

*Negative*—None.

S. R. 134, a resolution in favor of Seth W. Maberry was, on motion of Mr. York, indefinitely postponed.

S. B. 183, bill to prevent the sale of spirituous or malt liquors on the Sabbath day, was taken up and referred to the Committee on the Judiciary.

On motion of Mr. Moore of New Hanover, S. R. 177, a resolution in favor of the working people, was taken up.

On motion of Mr. Robins it was referred to the Committee on Propositions and Grievances.

On motion of Mr. Stanford, the Senate adjourned until to-morrow morning at 10 o'clock.

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## TWENTY-FIFTH DAY.

SENATE CHAMBER, January 4th, 1877.

The Senate met pursuant to adjournment.

Lieutenant Governor Jarvis in the chair.

Prayer by the Rev. Dr. Burkhead of the city.

The journal of yesterday was read and approved.

### PETITIONS.

By Mr. Stickney: Petition from citizens of Trenton, in Jones county. Referred to Committee on Propositions and Grievances.

Reports from standing committees were submitted as follows:

From Committee on Corporations:

By Mr. Scales: H. B. 114, S. B. 176, bill to incorporate



the town of Laurinburg, in the county of Richmond, recommending that it do pass.

By Mr. Sandifer: S. B. 172, bill to amend the charter of the city of Newberne, recommending that it do pass.

By Mr. Nicholson: S. B. 140, bill to amend an act to incorporate the Trustees of Oxford Colored Educational Association of Granville county, asking to be discharged from its further consideration.

From Committee on Judiciary:

By Mr. Scales: H. B. 134, S. B. 179, bill to allow mechanics sixty days within which to file their liens, asking to be discharged from its further consideration.

By Mr. Bingham: Petition from citizens of Newberne, county of Craven, asking to be discharged from its further consideration.

By Mr. Ferguson: S. B. 185, a bill concerning Battle's Revisal, recommending that it do not pass.

By Mr. Wilson: S. B. 138, a bill in relation to bonds of county officers, recommending that it do not pass.

By Mr. Mebane of Rockingham: S. B. 183, a bill to prevent the sale of spirituous or malt liquors on the Sabbath day, reporting an amendment, and as amended recommending that it do pass.

By the same: S. B. 184, a bill regarding minors, recommending that it do not pass.

By Mr. Folk: S. B. 30, a bill to amend chapter 37, Battle's Revisal, so as to make abandonment on the part of the husband a cause of divorce from the bonds of matrimony, recommending it do not pass.

From Committee on Internal Improvements:

By Mr. Johnston: S. B. 174, a bill to incorporate the Milton and Sutherlin Narrow Gauge Company, recommending it do pass.

A message from the House of Representatives:

H. B. 130, S. B. 192, a bill to incorporate Zenoah Lodge, No. 235, Independant Order Beni Berith (I. O. B. B.), of

Tarboro, Edgecombe county. Referred to Committee on Corporations.

H. R. 25, S. R. 193, a resolution concerning the relations between white and colored people of the State. Referred to the Judiciary Committee.

Message from the House of Representatives proposing to raise a joint committee of three on the part of the House and two on the part of the Senate to wait on his Excellency, the Governor, and inform him that the General Assembly is ready to receive any communication that he may be pleased to make. Placed upon the Calendar.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows :

By Mr. Finger: S. B. 186, bill to be entitled an act to provide for the appointment of a fish commissioner of North Carolina. Referred to Committee on Propositions and Grievances;

By Mr. Folk: S. B. 187, bill to enable railroad, mining and manufacturing companies to purchase steamboats to be used in connection with such roads and business. Referred to Committee on Corporations.

By Mr. Justice: S. B. 188, bill to charter the Rutherford and Spartanburg railroad. Referred to Committee on Internal Improvements.

By Mr. Moore of New Hanover: S. R. 189, resolution in favor of the free public schools of North Carolina. Referred to Committee on Education.

By Mr. Ferguson: S. B. 190, bill to prescribe the time for holding the Superior Courts of the 12th Judicial District. Referred to the Committee on Judiciary.

On motion of Mr. Robinson, the House resolution proposing to raise a joint committee to wait upon his Excellency, the Governor, was taken up and adopted, and Messrs. Robinson and Mercer were appointed Senate branch of said committee.



## CALENDAR.

H. B. 114, S. B. 176, bill to incorporate the town of Laurinburg, in the county of Richmond, on second reading, on motion of Mr. Short, was passed over informally.

S. B. 30, bill to amend chapter 37, Battle's Revisal. On second reading Mr. Finger moved to indefinitely postpone.

Mr. Graham favored the passage of the bill.

By consent Mr. Finger withdrew his motion.

Messrs. Latham and Standford favored the passage of the bill.

Mr. Robinson urged its adoption, and called for the ayes and nays on its passage, its second reading, which was sustained.

Mr. Stickney and Folk opposed the bill.

Mr. Moore of New Hanover, favored the bill.

Messrs. Robins, and Thorne, opposed the bill. The bill failed to pass its second reading, ayes 20, nays 24, as follows:

*Affirmative*—Messrs. Albright, Crawford, Cunningham, Dortch, Dunn, Finger, Graham, Heilig, Hughes, Latham, Liles, Mebane of Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Robinson, Standford, Short, Waddell and Wynne—20.

*Negative*—Messrs. Askew, Bingham, Boddie, Bryant, Caho, Coke, Ferguson, Folk, Holt, Johnston, Justice, Mebane of Rockingham, Nicholson, Robins, Roberts, Sandifer, Scales, Stickney, Stewart, Thorne, Troy, Williams, Wilson, York—24.

H. B. 144. S. B. 137. Bill to amend Sec. 2, Chap. 56, Battle's Revisal, was put upon its second reading and passed.

The bill was then read the third time and passed, ayes 38—nays none as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn,

Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mebane of Bertie, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne, York—38.

And was ordered to be enrolled for ratification.

By permission, Mr. Caho introduced S. B. 191, bill to repeal that portion of chapter, 171, of the laws 1872-'73 relating to Goose Creek Island church in Beaufort county, with petition from citizens of that county. Bill and petition referred to Propositions and Grievances.

#### CALENDAR.

S. B. 183, bill to prevent the sale of spirituous or malt liquors on the Sabbath day, was put on its second reading. The amendments reported by the Committee on the Judiciary were adopted. The bill then passed its second reading.

Mr. Robinson, of the Senate Branch of Joint Committee to wait upon the Governor reported that the committee had performed their duty and Governor Vance will, at an early day, take pleasure in communicating to the General Assembly on matters of general interest which he has now under consideration.

On motion of Mr. Holt, the rules were suspended and S. B. 183, bill to prevent the sale of spirituous or malt liquors on the Sabbath day, passed its third reading, ayes 32, nays 4, as follows:

*Affirmative*—Messrs Albright, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Latham, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of New Hanover, Nicholson, Robins, Roberts, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson and Wynne—32.

*Negative*—Messrs. Askew, Robinson, Sandifer and York—4.



S. B. 184, bill regarding minors, was put upon its second reading.

On motion of Mr. Holt, it was indefinitely postponed.

S. B. 138, a bill in relation to bonds of county officers, on its second reading. On motion of Mr. Bingham was indefinitely postponed.

S. B. 185, bill concerning Battle's Revisal, on second reading.

On motion of Mr. Stickney it was indefinitely postponed.

Mr. Standford moved to reconsider the vote by which S. B. 183 passed its third reading.

Mr. Robinson favored reconsideration.

Mr. Scales favored the bill as adopted.

The motion of Mr. Standford prevailed.

The hour of 12 M. having arrived, H. R. 68, S. R. 181 resolution instructing committee relative to heating the Capitol was taken up, being the special order for that hour.

The question recurred upon the passage of the resolution on its third reading.

Mr. Finger offered an amendment:

*"Provided, That the two fire places of the Senate Chamber, near the entrance, shall not be closed."*

With this amendment Mr. Finger favored the resolution.

Mr. Graham urged the adoption of the resolution.

The amendment of Mr. Finger was adopted.

Mr. Cahoon offered an amendment:

*"Provided, That neither of the fire places in the Senate Chamber be closed."*

Which was adopted.

Mr. Troy offered a substitute for the bill:

*"Resolved, That the committee be instructed to purchase*

two large stoves for coal, and put up one in the lobby on the east and west side of the Senate,"

Which was lost.

The bill then passed its third reading, Ayes 23, nays 14, as follows:

*Affirmative*—Messrs. Albright, Bingham, Caho, Coke, Crawford, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Justice, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Robinson, Scales, Stickney, Stewart, Short, Troy and Wilson—23.

*Negative*—Messrs. Askew, Boddie, Cunningham, Dunn Latham, Mercer, Nicholson, Robins, Sandifer, Thorne, Waddell, Williams, Wynne and York—14.

Mr. Waddell from committee on engrossed bills reported as properly engrossed,

S. B. 104, bill to prohibit the sale of spirituous liquors within three miles of Shocco Chapel and the People's Hall in Warren county.

S. B. 152, bill to authorize the town of Milton to subscribe ten thousand (10,000) dollars to the capital stock of the Milton and Sutherlin Narrow Gauge Railroad.

Message from the House of Representatives informing the Senate that the House of Representatives had concurred in S. R. 51, to raise a joint committee on the state debt, and had appointed as the House branch of said committee, Messrs. McGehee, Moring, Simpson, McCubbin, Swaim Haynes and Russell.

H. B. 134, S. B. 179, bill to allow mechanics sixty days within which to file their liens, on second reading, Mr. Graham moved to indefinitely postpone. Messrs. Wilson and Troy opposed postponement, ayes and nays being taken on Mr. Graham's, motion it prevailed, ayes 20, nays 19, as follows:

*Affirmative*—Messrs. Albright, Bingham, Boddie, Caho Coke, Cunningham, Dortch, Ferguson, Finger, Gra-



ham, Heilig, Latham, Mercer, Robins, Roberts, Sandifer, Stickney, Stewart, Short and York—20.

*Negative*—Messrs. Askew, Crawford, Dunn, Holt, Hughes, Justice, Mebane of Bertie, Mebane of Rockingham, Moore, of New Hanover, Nicholson, Robinson, Scales, Standford, Thorne, Troy, Waddell, Williams, Wilson and Wynne—19.

S. B. 172, bill to amend the charter of the city of Newbern was put on second reading and passed.

On motion of Mr. Caho, the rules were suspended and the bill was put upon its third reading.

Mr. Moore of New Hanover, moved to amend: Strike out words “unless he gives the number of the lot on which he lives,”

Which was rejected.

Mr. Moore of New Hanover, moved to strike out “90 days” and insert “30 days” which was lost.

On motion of Mr. Caho the vote by which the amendment of Mr. Moore of New Hanover to strike out “unless he gives the number of the lot on which he lives,” was rejected, was reconsidered.

Pending the consideration of the amendment, on motion of Mr. Stickney the bill and proposed amendments were recommitted to Committee on Corporations.

Mr. Scales submitted a report from the Superintendent of the Insane Asylum, relative to the expenses of said institution, in answer to a resolution of the Senate, and moved it be referred to the Committee on the Insane Asylum, and that 200 copies be printed. It was so disposed of.

Mr. Ferguson moved to reconsider the vote by which H. B. 134, S. B. 179, bill to allow mechanics sixty days within which to file their liens, was indefinitely postponed, and to make the bill the special order for 11 o'clock on Tuesday next, the 9th inst., which motion prevailed.

On motion of Mr. Robinson, S. B. 183, bill to prevent

the sale of spirituous or malt liquors on the Sabbath day was put upon its third reading.

On motion of Mr. Robinson the proviso "that this act shall not apply to any person who may sell any liquors upon the written prescription of a physician," was stricken out.

Mr. Sandifer moved to amend the last part of section first, so that it will read "not more than \$50 or imprisonment not more than one month."

Mr. Ferguson opposed the amendment.

The amendment was lost.

The bill then passed its third reading, ayes 34, nays 6, as follows:

*Affirmative*—Messrs. Albright, Bennett, Bingham, Boddie, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mebane of Bertie, Mebane of Rockingham, Mercer, Robinson, Roberts, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Williams, Wilson and Wynne—34.

*Negative*—Messrs. Askew, Dunn, Robins, Sandifer, Waddell and York—6.

On motion of Mr. Stickney, the Senate adjourned till tomorrow at 10 o'clock.

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## TWENTY-SIXTH DAY.

SENATE CHAMBER, Jan. 5th 1877.

The Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the chair.

The Journal of yesterday was read and approved.

Mr. Liles asked to be permitted to be recorded in the



affirmative on Senate Bill 30, bill to amend chapter 37, Battle's Revisal, so as to make abandonment on the part of the husband a cause of divorce from the bonds of matrimony; which was granted.

Message from the House of Representatives announcing the passage by that body of resolutions of respect to the memory of Dr. P. M. Winchester deceased, late a member of the House of Representatives from the county of Rockingham, and had ordered the same to be spread upon the Journals of the House and a copy be prepared for the signature of the Speaker of the House, to be transmitted to the family of the deceased.

House Amendments to S. R. 74, H. R. 53, resolution in favor of the soldiers of North Carolina, who lost both eyes in the Confederate service, placed upon the Calendar.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of as follows:

By Mr. Liles: S. B. 194, bill to declare the disciplinary rights of secret benevolent societies, referred to the Committee on the Judiciary.

By Mr. York: S. B. 195, bill to incorporate the Wilkes Valley Railroad, referred to the Committee on Internal Improvements.

By Mr. Sandifer: S. B. 196, bill to repeal chapter, 81 Private Laws of 1872-'73, and to re-enact section 2 of chapter 46, Private Laws of 1871-'72, entitled an act to charter the town of Dallas, placed upon the Calendar.

By Mr. Dortch: S. B. 197, bill to repeal chapter 39, of Battle's Revisal and chapter 112 of Laws 1874-'75, and to re-enact chapter 40, of the Revised Code, as amended by chapter 164, Laws of 1868-'69, in relation to draining lands; referred to Committee on Judiciary.

Mr. Robinson asked leave to be absent to-day for the purpose of attending the meeting of the commissioners appointed by the last legislature to purchase the Western

North Carolina railroad, said meeting being for the purpose of preparing their report. Granted.

On motion of Mr. Finger, leave of absence was granted for to-day to Mr. Mebane of Rockingham, on account of sickness.

#### CALENDAR.

House amendment to S. R. 74, H. R. 53, resolution in favor of soldiers from North Carolina who lost both eyes in the Confederate service, was taken up.

Mr. Robins asked a division of the question, as there were two amendments. Both amendments were then concurred in, in their order, and the bill ordered to be enrolled for ratification.

S. B. 174, bill to charter the Milton and Sutherlin Narrow Gauge railroad was put upon its second reading.

Mr. Cunningham spoke in support of the bill.

The bill passed its second reading and on motion of Mr. Cunningham the rules were suspended and the bill passed its third reading, ayes 42, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Cahoon, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane, Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—42.

*Negative*—None.

Message from the House of Representatives.

H. R. 72, S. R. 198, resolution relative to the burial expenses of P. M. Winchester. Placed upon the Calendar.

Mr. Moore from the committee on Enrolled Bills, reported as properly enrolled, Senate Substitute for H. R. 42, S. R. 161, resolution to raise a joint committee to visit the Western



North Carolina Railroad.

S. B. 180, H. B. 171, bill for the relief of delinquent sheriffs and &c.

H. B. 135, S. B. 174, bill to allow citizens of Jackson county to pass through the toll gates of Swain county free of charge.

H. R.—, S. R. 150, resolution for the purchase of stationery

H. B. 88, S. B. 146, bill for the relief of shad fishermen in Albemarle, Currituck and Pamlico Sounds.

S. B. 86, H. B. 170, bill to settle the ridings of the several Judicial Districts of this State amongst the Judges of the Superior Courts.

H. B. 164, S. B. 171, bill for the relief of the sheriff of Carteret county.

H. R. 31, S. R. 88, resolution of instruction to the Senators and members of the House of Representatives in Congress of the United States from North Carolina.

S. R. 17, H. R. 14, resolution in regard to the employees of the Senate and House.

S. B. 135, H. B. 163, bill to repeal chapter 76, laws of 1870-'71.

All of which were duly ratified and forwarded to the Secretary of State.

H. B. 114, S. B. 176, bill to incorporate the town of Laurinburg, in the county of Richmond, on second reading.

Mr. Moore of Mecklenburg moved to amend :

Strike out all of section 3 down to the words in the eleventh line, "that said commissioners, &c.," and that the following words be substituted therefor, "that no spirituous or malt liquors be allowed to be sold within three miles of the corporate limits of said town."

Which was adopted.

The bill then passed its second reading.

On motion of Mr. Short, the rules were suspended and the bill put upon its third reading.

Mr. Sandifer offered an amendment:

“That said question of the prohibition of the sale of liquors shall have first been submitted to the qualified voters of said town and adopted by them.”

Mr. Moore of Mecklenburg and Mr. Short opposed the amendment.

The amendment was lost and the bill passed its third reading; ayes 32, nays 5, as follows:

*Affirmative*—Messrs. Albright, Bennett, Bingham, Boddie, Crawford, Cunningham, Dortch, Finger, Graham, Heilig, Holt, Hughes, Justice, Latham, Mebane of Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, and York—32.

*Negative*—Messrs. Askew, Bryant, Dunn, Mabson and Wynne—5.

Reports from standing committees were submitted as follows:

From Committee on Banks and Currency:

By Mr. Dortch: H. B. 35, S. B. 109, bill to make gold and silver legal tender, recommending it do not pass.

From Committee on Judiciary:

By Mr. Stewart: S. B. 178, bill to punish assaults with deadly weapons, recommending it do not pass.

Mr. Moore of New Hanover introduced, by permission, S. B. 170, bill to incorporate the Independant Order, Number 2, Grand Lodge of order of Good Samaritans and Daughters of Samaria in America, of the State of North Carolina. Referred to the Committee on Propositions and Grievances.

Message from the House of Representatives transmitting without engrossment, H. R. 70, S. R. 200, resolution of in-



enquiry respecting election returns. Placed upon the Calendar.

H. B. 35, S. B. 109, bill to make gold and silver a legal tender, came up on second reading.

Mr. Sandifer moved it be indefinitely postponed.

Mr. Johnston urged the adoption of the bill.

Messrs. Dortch, Graham and Sandifer opposed the bill.

The motion of Mr. Sandifer to indefinitely postpone prevailed.

On motion of Mr. Cunningham S. B. 174, bill to charter the Milton and Sutherlin Narrow Gauge railroad was sent to House of Representatives without engrossment.

By permission Mr. Finger introduced S. B. 199, bill for the relief of George W. Cansler, of Catawba county, with accompanying petitions from citizens of Catawba county.

Bill and petition committed to Committee on Propositions and Grievances.

On motion of Mr. Ferguson the rules were suspended and H. R. 70, S. R. 200, resolution of enquiry respecting election returns, was taken up and adopted, and ordered to be forwarded to the Treasurer of the State.

Mr. Waddell, from Committee on Engrossed Bills, reported as properly engrossed,

Senate amendment to H. B. 112, S. B. 142, bill to amend chapter 83, section 4, Battle's Revisal ;

Senate amendment to H. R. 68, S. R. 181, resolution authorizing the Joint Select Committee on heating the Capitol to let out a contract to heat the halls of the two houses.

#### SPECIAL ORDER.

At 12 M., H. B. 40, S. B. 57, bill for the relief of taxpayers of North Carolina, was put upon its second reading, it being the special order for that hour.

On motion of Mr. Latham, the bill was indefinitely postponed.

## CALENDAR

was resumed, and

S. B. 196, bill to repeal chapter 81, private laws of 1872-'73, and to re-enact section 2 of chapter 46, private laws of 1871-'72, entitled an act to charter the town of Dallas, was put upon its second reading and passed.

On motion of Mr. Sandifer, the rules were suspended, and the bills passed its third reading, ayes 38, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—38.

*Negative*—None.

And ordered to be engrossed and sent to the House of Representatives.

Mr. Ferguson moved to reconsider the vote by which H. B. 40, S. B. 57, bill for the relief of the tax-payers of North Carolina was indefinitely postponed.

The motion prevailed, and the question recurring upon the motion of Mr. Latham to indefinitely postpone, that motion was lost.

The question then recurred upon the passage of the bill on its second reading.

Mr. Ferguson offered an amendment, after words "sold for taxes," insert, "and bought by the State."

Mr. Graham thought the bill less objectionable with the amendment of Mr. Ferguson, but considered the bill unnecessary.

Mr. Latham opposed the bill.

Mr. Ferguson urged its adoption.



Mr. Moore, of New Hanover, offered an amendment, "insert the years of 1874-'75 also."

Mr. Ferguson's amendment was adopted.

The amendment of Mr. Moore, of New Hanover, was lost.

Mr. Troy moved to amend by adding:

*"Provided, The title of such land is still in the State,"*

which was adopted.

The bill, as amended, then passed its second reading;

And, on motion of Mr. Ferguson, the rules were suspended and the bill passed its third reading, ayes 38, nays 3, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mercer, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—38.

*Negative*—Messrs. Graham, Moore of Mecklenburg, and Scales—3.

Mr. Mebane of Bertie, moved that the Senate adjourn until to-morrow at 10 o'clock. Lost.

Mr. Scales moved that the Senate adjourn until to-morrow morning at 10½ o'clock, which motion, on a division, prevailed.

## TWENTY-SEVENTH DAY.

SENATE CHAMBER, January 6th, 1877.

The Journal of yesterday was read and approved.

## PETITIONS.

By Mr. Cunningham: Petition from the citizens of Northampton. Referred to the Committee on Propositions and Grievances.

Reports from standing committees were submitted as follows:

From Committee on Propositions and Grievances:

By Mr. Dortch: S. B. 85, bill to repeal an act of 1873-'4, chapter 137, so far as relates to Jones county, recommending it do not pass.

By the same: S. B. 191, bill to repeal that portion of chapter 171 of the laws 1872-'73, relating to Goose Creek Island Church, in Beaufort county; recommending it do not pass.

From Committee on Corporations:

By Mr. Scales: S. B. 160, bill to aid in the construction of the Chester and Lenoir Narrow Gauge Railroad, and the Watauga and Caldwell Narrow Gauge Railroad, reporting substitute and recommending the substitute do pass.

By Mr. Sandifer: S. B. 97, bill to regulate the practice of dentistry in North Carolina, reporting a substitute, and recommending that the substitute do pass.

By same: S. B. 172, bill to amend the charter of the city of Newbern, reporting an amendment, and as amended recommending the bill do pass.

Mr. Thorne, from Committee on Corporations, submitted a minority report upon the action of said committee upon S. B. 172, bill to amend the charter of the city of Newbern.



The Lieutenant Governor submitted a report of the Hon. C. H. Brogden, R. F. Armfield, and J. L. Robinson, commissioners appointed by the last General Assembly to purchase the Western North Carolina Railroad, which was ordered to be sent to the House of Representatives, with the proposition to print.

Message from the House of Representatives transmitting H. B. 192, S. B. 202, bill to incorporate Albemarle Lodge, No. 74, Independent Order of Odd Fellows, Hertford, North Carolina. Referred to the Committee on Corporations.

H. B. 157, S. B. 204, bill to amend chapter 126 of private laws of 1873-'74. Referred to the Committee on Judiciary.

H. B. 196, S. B. 203, bill to amend section 52, chapter 63 Battle's Revisal. Referred to the Committee on the Judiciary.

H. B. 180, S. B. 206, bill to incorporate the Bellevue Cemetery Company. Referred to the Committee on Corporations.

H. B. 185, S. B. 205, bill for the relief of the tax-payers of Wake county. Referred to Committee on Finance.

H. R. 69, S. R. 208, resolution in favor of the "News Publishing Company." Referred to Committee on Printing.

H. R. 67, S. R. 207, resolution in favor of the Hon. Thos. Settle. Referred to Committee on Claims.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of as follows:

By Mr. Cunningham: S. B. 209, bill to protect cotton planters. Referred to the Committee on Propositions and Grievances

By Mr. Bennett: S. B. 210, bill to repeal chapter 60, laws 1871-'72, brought forward in Battle's Revisal, chapter 63, sections 50, 51 and 52. Referred to the Committee on the Judiciary.

By Mr. Wilson: S. B. 211, bill to incorporate Wintson

Baptist Church. Referred to Committee on Corporations.

By Mr. Sandifer: S. B. 212, bill to repeal chapter 115, Battle's Revisal. Referred to Committee on the Judiciary.

By the same: S. B. 213, bill to repeal chapter 39, Battle's Revisal, and chapter 112, laws of 1874-'75, amendatory thereof. Referred to the Committee on the Judiciary.

By Mr. Moore of New Hanover: S. B. 214, bill to provide for the working of the public roads of the state. Referred to the Committee on Corporations.

By Mr. Latham: S. B. 201, bill to define and declare the punishment for burglary. Referred to the Committee on the Judiciary.

By the same: S. B. 215, bill to amend section 144, chapter 17, of Battle's Revisal. Referred to the Committee on the Judiciary.

By Mr. Folk: S. R. 216, resolution in favor of C. H. Brogden, R. F. Armfield and J. L. Robinson. Referred to the Committee on Finance.

On motion of Mr. Seales, the Committee on Finance were also instructed to inquire what compensation should be paid to attorney, referred to by Messrs. Brogden, Armfield and Robinson in their report upon the purchase of the Western North Carolina [Railroad.]

By Mr. Liles: S. R. 217, resolution instructing the Attorney General to bring suit to recover the locks and dams and water powers of Deep river. Placed upon the Calendar.

By Mr. Seales: S. R. 218, resolution in relation to sheep husbandry. Placed upon the Calendar.

#### CALENDAR.

S. B. 172, bill to amend the charter of the city of Newbern, on second reading.

On motion of Mr. Green, it was postponed till Tuesday week, the 16th instant, at 11 o'clock, and made the special order for that hour.



S. B. 97, bill to regulate the practice of dentistry in North Carolina, on second reading.

The question recurred upon the substitute reported by the Committee on Corporations.

Mr. Sandifer favored the substitute.

Mr. Nicholson opposed both substitute and bill.

The substitute was adopted.

The question recurring upon the passage of the bill, its second reading,

Mr. Latham offered an amendment, "to strike out \$25 and insert \$10." Adopted.

Mr. York offered to amend, "strike out \$10 and insert \$5." Lost.

Mr. Troy offered an amendment to section nine by striking out "not less than \$100, and not more than \$300," and insert "not more than \$200."

Mr. Bingham moved to lay the whole matter upon the table.

On a division, the vote being 17 for and 17 against, the Lieutenant Governor voted for the motion to table, which prevailed.

H. B. 86, S. B. 143, bill to amend section 23, chapter 105, of Battle's Revisal.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 160, bill to aid in the construction of the Chester and Lenoir Narrow Gauge Railroad and the Watauga and Caldwell Narrow Gauge Railroad, on second reading.

By request of Mr. Folk, the bill was postponed till Monday, the 8th instant, and made special order for 11 o'clock.

S. B. 191, bill to repeal that portion of chapter 171, of the laws of 1872-'73, relating to Goose Creek Island Church, in Beaufort county, on second reading.

On motion of Mr. York, the bill was indefinitely postponed.

S. B. 85, bill to repeal an act of 1873-'74, chapter 137, so far as relates to Jones county, on second reading.

Mr. Askew moved that it be postponed till Thursday next, and made the special order for that day, which prevailed.

S. R. 218, resolution relating to sheep husbandry, was taken up and adopted

S. R. 217, resolution instructing the Attorney General to bring suit to recover the locks and dams and water powers of Deep river, was taken up, and, on motion of Mr. Finger, the resolution was referred to the Committee on the Judiciary.

On motion of Mr. Mebane, of Bertie,

S. B. 121, bill concerning the paupers of the state of North Carolina—amending Battle's Revisal—was taken up on its second reading.

On motion, the bill was laid on the table.

On motion of Mr. Finger, leave was granted Mr. Mebane, of Rockingham, to be absent for to-day, on account of sickness.

Mr. York asked to withdraw S. B. 195, bill to incorporate the Wilkes Valley Railroad Company, referred to Committee on Internal Improvements on yesterday, for the purpose of altering the same, which was granted.

Mr. Waddell, from the Committee on Engrossed Bills, reported as properly engrossed S. B. 183, bill to prevent the sale of spirituous or malt liquors on the Sabbath day;

S. B. 137, bill to amend section 44, chapter 63, Battle's Revisal;

S. B. 76, bill to prevent the hauling of seines and dragnets in the mouths of Goose, Baird, Dawson's and Smith's Creeks, Pamlico county.

On motion of Mr. Troy, the vote by which S. B. 97, bill to regulate the practice of dentistry in North Carolina, was laid upon the table, was reconsidered.

Mr. Scales urged the passage of the bill.

Mr. Nicholson again opposed it.

On motion of Mr. Troy, the bill was recommitted to the Committee on Corporations



On motion of Mr. Crawford, the Senate adjourned till Monday morning at 11 o'clock.

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## TWENTY-EIGHTH DAY.

SENATE CHAMBER, January 8th, 1877.

The Senate met pursuant to adjournment.

Lieutenant Governor Jarvis in the chair.

Prayer by the Rev. Dr. Marshall of the city.

The journal of yesterday was read and approved.

Reports from standing committees were submitted as follows:

From Committee on Claims:

By Mr. Finger: H. R. 16, S. R. 80, resolution in favor of Ashe county, recommending it do pass.

H. R. 61, S. R. 159, resolution in favor of W. F. King, recommending it do not pass.

Mr. Moore of Mecklenburg, from Committee on Enrolled Bills reported as properly enrolled S. B. 94, H. B. 184, bill to incorporate Kinston Collegiate Institute.

S. B. 50, H. B. 121, bill to make Cashie river a lawful fence from Windsor, Bertie county, to Ryon place in said county.

H. B. 144, S. B. 157, bill to amend section 2, chapter 56, Battle's Revisal.

Message from the House of Representatives,

H. B. 193, S. B. 219, bill to extend the charter of certain banks. Referred to the Committee on Banks and Currency.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of as follows:

By Mr. Wilson: S. B. 220, bill to amend the charter of the town of Salem, in the county of Forsyth. Referred to the Committee on Corporations.

S. B. 221, bill to consolidate and revise the charter of the town of Winston, and the amendments thereto. Referred to the Committee on Corporations.

By Mr. Green, S. B. 222, bill for the preservation of mocking birds. Referred to the Committee on Propositions and Grievances.

S. B. 223, bill to prevent the sale of intoxicating liquors. Referred to Committee on Proposition and Grievances.

By Mr. Caho: S. B. 224, bill to modify, change and abrogate various sections of Article 7, of the Constitution of the State. Referred to the Committee on County Government and ordered to be printed.

S. B. 225, bill relative to justices of the peace. Referred to Committee on County Government and ordered to be printed.

S. B. 226: bill to establish a system of courts in the several counties of the State. Referred to Committee on County Government and ordered to be printed.

By Mr. Nicholson, S. B. 227, bill to prohibit the sale of spirituous liquors within two miles of McKendree's Chapel Methodist Episcopal Church, South, in the county of Iredell. Referred to Committee on Propositions and Grievances.

By Mr. Short: S. B. 228, bill to amend and consolidate the charter of the the Great Falls Manufacturing Company, located at Rockingham, in the county of Richmond. Referred to the Committee on Corporations.

By Mr. Wilson: S. B. 229, bill to prohibit the sale of spirituous liquors near the towns of Salem and Winston in Forsyth county, and for other purposes. Referred to Committee on Propositions and Grievances.

By Mr. Nicholson: S. B. 230, bill to prohibit the sale of spirituous liquors within two miles of Morrow's Chapel,



Colored Methodist church in the county of Iredell, referred to the Committee on Propositions and Grievances.

By Mr. Liles: S. R. 231, resolution concerning the clerks of the General Assembly, referred to the Committee on Propositions and Grievances.

By Mr. Stewart: S. R. 232, resolution on the hour of meeting of the Senate, placed upon the Calendar.

On motion of Mr. Latham, S. B. 166, bill to provide for the government of counties, now in the hands of the Committee on County Government, was ordered to be printed.

On motion of Mr. Short indefinite leave of absence was granted Mr. Coke on account of sickness, and stated that gentelman was absent from his seat on last Saturday from same cause.

Leave of absence was granted, Mr. Mebane of Rockingham, for to-day, on account of sickness.

S. B. 46, bill to repeal chapter 245, laws of 1874-'75, was taken up, on second reading, it being the special order for to-day. Mr. Holt moved to postpone until Wednesday next,

By consent the motion was withdrawn.

Mr. Liles, moved to postpone until Friday next at 11 o'clock, and make it the special for that hour, prevailed

By permission Mr. Thorne introduced Senate bill 233, bill to enable the commissioners of Warren county to pay a certain sum due on account to the Board of Trustees of Nutbush township in said county, referred to Committee on Claims.

#### CALENDAR.

H. R. 61, S. R. 159, resolution in favor of W. F. King on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

H. R. 16 S. R. 80, resolution in favor of Ashe county, on second reading.

Mr. Bingham favored its adoption.

The bill passed its second reading, and on motion of Mr. Robinson, the rules were suspended and the bill passed its third reading, ayes 28, nays 10, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Bryant, Cahoon, Crawford, Dortch, Dockery, Ferguson, Finger, Green, Graham, Heilig, Justice, Liles, Mabson, Mebane of Bertie, Mercer, Robinson, Sandifer, Stickney, Stewart, Short, Thorne, Williams, Wilson and York—28.

*Negative*—Messrs. Albright, Cunningham, Holt, Latham, Moore of Mecklenburg, Nicholson, Robins, Roberts, Scales and Troy—10.

And was ordered to be enrolled for ratification.

Message from the House of Representatives announcing that that body had concurred in the Senate proposition to print the report of the Hons. C. H. Brøgden, R. F. Armfield and Jas. L. Robinson, commissioners appointed by the last General Assembly to purchase the Western North Carolina Railroad.

By permission, Mr. Justice introduced S. B. 234, bill to regulate the terms of the superior courts for the 9th Judicial District. Referred to the Committee on the Judiciary.

On motion of Mr. Liles, the vote by which S. B. 46, bill to repeal chapter 245, laws of 1874-'75, was postponed until Friday next, was reconsidered.

On motion of Mr. Robinson, Mr. Liles was permitted to withdraw his motion to postpone, which was done. The question recurred upon the passage of the bill, its second reading.

Mr. Graham spoke against the passage of the bill.

Messrs. Moore of New Hanover, and Robins, advocated the passage of the bill.

Mr. Graham moved to indefinitely postpone.

Mr. Cunningham favored the repeal of the chapter as contemplated by the bill, and opposed indefinite postponement.

On the motion to indefinitely postpone Mr. Robins called



for the ayes and nays, which call was sustained, and the motion was lost, ayes 12, nays 31, as follows:

*Affirmative*—Messrs. Boddie, Finger, Green, Graham, Holt, Latham, Robinson, Scales, Stickney, Short, Williams, and Wilson—12.

*Negative*—Messrs. Albright, Askew, Bennett, Bingham, Bryant, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Heilig, Hughes, Johnson, Justice, Liles, Mabson, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Stewart, Thorne, Troy, Waddell, Wynne and York—31.

Mr. Holt, moved to postponed till Thursday at 11½ o'clock.

Mr. Cunningham opposed the motion of Mr. Holt.

Mr. Short urged its postponement.

Mr. Green, moved that the Senate adjourn till to-morrow morning at 10 o'clock, upon which, Mr. Cunningham called for the ayes and nays, the call was sustained and the Senate refused to adjourn, ayes 6, nays 37.

*Affirmative*—Messrs. Askew, Bennett, Bryant, Green, Liles, and Thorne.

*Negative*.—Messrs. Albright, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mabson, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson, Wynne and York—37.

Question recurring upon the motion of Mr. Holt, to postpone till Friday at 11½ o'clock.

Mr. Cunningham called for the ayes and nays, which was sustained and the motion was lost, ayes, 18, nays 26, as follows:

*Affirmative*—Messrs. Albright, Askew, Boddie, Bryant, Ferguson, Finger, Green, Graham, Holt, Liles, Mercer,

Moore of Mecklenburg, Robinson, Scales, Short, Thorne, Williams, and Wilson—18.

*Negative*—Messrs. Bennett, Bingham, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Heilig, Hughes, Johnston, Justice, Latham, Mabson, Mebane of Bertie, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Stickney, Stewart, Troy, Waddell, Wynne and York—26.

Mr. Troy, then called for the previous question on the passage of the bill its second reading, upon which the ayes and nays were demanded which were ordered and the call for the previous question was not sustained, ayes 20 nays 2 as follows :

*Affirmative*—Messrs. Askew, Bingham, Caho, Cunningham, Dortch, Ferguson, Heilig, Johnston, Justice, Latham, Moore of New Hanover, Robins, Roberts, Sandifer, Stickney, Stewart, Troy, Waddell, Wynne and York—20.

*Negative*—Messrs. Albright, Boddie, Bryant, Crawford, Dockery, Dunn, Finger, Green, Graham, Holt, Hughes, Liles, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robinson, Scales, Short, Thorne and Wilson—21.

Mr. Graham moved to adjourn, upon which Mr. Cunningham called for the ayes and nays, which was sustained, and the Senate refused to adjourn, ayes 15, nays 29, as follows :

*Affirmative*—Messrs. Askew, Bennett, Bryant, Ferguson, Finger, Green, Graham, Holt, Liles, Mebane of Bertie, Moore of Mecklenburg, Scales, Short, Thorne and Wilson—15.

*Negative*—Messrs. Albright, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Heilig, Hughes, Johnston, Justice, Latham, Mabson, Mercer, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Stickney, Stewart, Troy, Waddell, Williams, Wynne and York—29.



The question recurring upon the passage of the bill its second reading,

On motion of Mr. Cunningham, the ayes and nays were ordered, and the bill passed its second reading, ayes 30, nays 14, as follows:

*Affirmative*—Messrs. Albright, Bennett, Bingham, Bryant, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Heilig, Hughes, Johnston, Justice, Liles, Mabson, Mebane of Bertie, Mercer, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Stewart, Thorne, Troy, Waddell, Wynne and York—30.

*Negative*—Messrs. Askew, Boddie, Finger, Green, Graham, Holt, Latham, Moore of Mecklenburg, Robinson, Scales, Stickney, Short, Williams and Wilson—14.

In casting his vote in the negative on the above bill S. B. 46, Mr. Moore of Mecklenburg, said: "Mr. President, regarding the passage of this bill as a direct imputation of the motives of the party in power at the time of the passage of the bill, and believing that it will naturally effect the credit of a large class of bonds of the State, mostly held by domestic creditors, I vote "no."

S. B. 45, bill to repeal an act ratified March 22, 1875, on second reading.

Mr. Troy moved to postpone the bill until the first Friday in December next, that being hang-mans' day, upon which

Mr. Robinson asked for the ayes and nays, which were ordered, and the motion of Mr. Troy prevailed, ayes, 29; nays 9; as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Holt, Hughes, Johnston, Justice, Latham, Liles, Nicholson, Robinson, Roberts, Sandifer, Scales, Short, Thorne, Troy, Waddell, Wilson and York—29.

*Negative*.—Messrs. Bingham, Dunn, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robins, Stickney, Stewart and Wynne—9.

On motion of Mr. Holt, the Senate adjourned until to-morrow morning at half past ten o'clock.

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## TWENTY-NINTH DAY.

SENATE CHAMBER, Jan. 9th 1877.

The Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the chair.

Prayer by Rev. Dr. Vaughan of the city.

The Journal of yesterday was read and approved.

Mr. Robinson moved to request the secretary to omit from the proceedings of the Senate, as recorded in the Journal, all reference to the position taken by Senators in their speeches on questions pending before the Senate, except by unanimous consent of the Senate.

Upon this Mr. Graham called the ayes and nays—which call being sustained, the motion prevailed, ayes 32, nays 14, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Coke, Crawford, Cunningham, Dortch, Dockery, Ferguson, Finger, Heilig, Holt, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Scales, Stickney, Stewart, Troy, Waddell, Wynne and York—32.

*Negative*—Messrs. Caho, Dunn, Green, Graham, Hughes, Justice, Mabson, Moore of New Hanover, Robins, Sandifer, Standford, Short, Thorne, and Williams—14.

## PETITIONS.

By Mr. Stewart: Petition from certain citizens of Granville county asking the passage of a bill to prohibit the



sale of intoxicating liquors within two miles of Enon Baptist church in said county, referred to Committee on Proposition and Grievances.

Petitions from certain citizens of Granville county asking the passage of an act to prevent the sale of intoxicating liquors within two miles Hestors Baptist church in said county, referred to Committee on Propositions and Grievances.

By Mr. Robinson: Petition from the chief of the eastern band of Cherokee Indians, referred to Committee on Propositions and Grievances.

By Mr. Sandifer: Petition from citizens of Gastonia, asking for an act of incorporation, referred to Committee on Corporations.

By Mr. Moore of Mecklenburg: Petition from the citizens of Mecklenburg county, referred to Committee on Propositions and Grievances.

Reports from Standing Committees were submitted as follows:

From Committee on Judiciary,

By Mr. Graham: H. R. 11, S. R. 149, resolutions for the relief of Camden for the maintenance of a lunatic for the year 1875. A majority of the committee recommending the bill do pass.

From the Committee on Finance,

By Mr. Graham: S. R. 216, resolution in favor of Hons. C. H. Brogden, R. F. Armfield and J. L. Robinson, reporting a resolution and recommending the resolution do pass.

From Committee on Propositions and Grievances,

By Mr. Dortch: S. R. 231, resolution concerning the clerks of the General Assembly, recommending it do pass.

S. B. 199. bill for the relief of George W. Cansler of Catawba county, recommending it do pass.

The following bills and resolutions, reported as correctly enrolled by committee on enrolled bills, were duly ratified and transmitted to the office of the secretary of state:

H. R. 16, S. R. 80, resolution in favor of Ashe county.

S. B. 152, H. B. 187, bill to authorize the town of Milton to subscribe ten thousand dollars to the stock of the Milton and Sutherlin Narrow Gauge Rail Road.

S. B. 174, H. B. 197, an act to incorporate the Milton and Sutherlin Narrow Gauge Railroad Company.

A communication was received from his excellency Gov. Vance, announcing to the Senate that he had appointed as keeper of the Capitol, J. McLeod Turner.

As Librarian, Sherwood Haywood, asking the confirmation by the Senate of the same.

Message from the House of Representatives,

H. B. 188, S. B. 237, bill to incorporate the town of Canova in the county of Catawba, referred to committee on Corporations.

H. B. 203, S. B. 238, bill to incorporate Repton Encampment, (I. O. O. F.) Independent order of Odd Fellows, Tarboro, North Carolina, referred to committee on Corporations.

H. B. 191, S. B. 239, bill to amend an act to incorporate the town of Shoe Heel Robinson county, laws of 1873-'74, chapter 121, referred to committee on Corporations.

Mr. Waddell from committee on Engrossed Bills reported as properly engrossed:

S. B. 196, bill to repeal chapter 81 Private Laws of 1872-'73, and to re-enact section 2 of chapter 46, Private Laws of 1871-'72, entitled an act to charter the town of Dallas.

Senate amendment to H. B. 114, S. B. 176, bill to incorporate the town of Laurinburg, in the county of Richmond.

Senate amendment to H. B. 40, S. B. 57, bill for the relief of the tax payers of North Carolina.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of as follows:

By Mr. Coke: S. B. 240, bill to establish an additional township in Chowan county, referred to Committee on Corporations.



S. B. 241, bill to repeal chapter 135, acts of 1868-'69, giving certain powers to the commissioners of the town of Edenton, placed upon the calendar.

By Mr. Sandifer: S. B. 242, bill to incorporate the town of Gastonia, Gaston county, referred to the Committee on Corporations.

By Mr. Bennett: S. B. 243, bill requiring beef cattle carried to the town of Wilmington, to be weighed, referred to the Committee of Propositions and Grievances.

By Mr. Short, S. B. 244, bill to protect the fish in Wac-maw lake and the adjacent waters, referred to the Committee on Propositions and Grievances.

S. R. 245, resolution in favor of the Petersburg Railroad Company, referred to the Committee on Claims.

By Mr. Justice: S. R. 246, resolution to procure three stoves for the Senate Chamber, placed upon the Calendar.

By Mr. Moore of Mecklenburg: S. B. 247, bill to amend chapter 17, section 9 of Battle's Revisal, referred to Committee on Judiciary.

By Mr. Dortch: S. B. 248, bill to abolish the July term of the Superior Court of Wayne county, placed upon the Calendar.

By Mr. Stewart: S. B. 249, bill to prevent the sale of intoxicating liquors within two miles of certain churches in Granville county, referred to Committee on Propositions and Grievances.

By Mr. Thorne: S. B. 250, bill to establish an Industrial and Educational College for the colored youth of both sexes, referred to Committee on Education and ordered to be printed.

By Mr. Moore of New Hanover: S. B. 251, bill to repeal section 82, chapter 102, Battle's Revisal, referred to Committee on Judiciary.

By Mr. Robinson: S. R. 252, resolution concerning the eastern band of North Carolina Cherokee Indians, referred

with accompanying petition to Committee on Propositions and Grievances.

By Mr. Coke: S. B. 235, bill to authorize the commissioners of Pasquotank county to levy a special tax, referred to Committee on Judiciary, with accompanying petitions.

Message from the House of Representatives announcing the concurrence by that body in Senate amendment to H. B. 112, S. B. 142, bill to amend chapter 83, section 4 of Battle's Revisal, and had ordered the same enrolled for ratification.

Communication was received from J. McLeod Turner, Engrossing Clerk of the Senate, tendering his resignation of that position to take effect to-day at 12 m.

On motion of Mr. Standford, S. B. 16, bill to incorporate the laborers union of Wilmington;

S. B. 20, bill to incorporate the first Ward Bucket Company of the city of Wilmington, and

S. B. 32, bill to incorporate the Hook and Ladder company, No. 2 of the city of Wilmington, were taken from the table and re-committed to the committee on Propositions and Grievances.

#### CALENDAR.

S. B. 46, bill to repeal chapter 243, Laws of 1874-'75 on third reading.

On motion of Mr. Holt the bill was postponed until Thursday next at eleven o'clock and made the special order for that hour.

S. B. 178, bill to punish assaults with deadly weapons, on second reading.

On motion of Mr. Standford it was postponed till to-morrow at one o'clock and made the special order for that hour.



S. B. 241, bill to repeal chapter 135, acts of 1868-'69, giving certain powers to the Commissioners of the town of Edenton, on second reading, passed, and on motion of Mr. Coke, the rules were suspended and the bill passed its third reading, ayes 36, nays 4, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Green, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson and York,—36.

*Negative*—Messrs. Dunn, Mebane of Bertie, Moore of New Hanover and Thorne—4.

And was ordered to be sent to the House of Representatives without engrossment.

S. B. 248, bill to abolish the July term of the Superior Court of Wayne county, on second reading, and passed, and on motion of Mr. Dortch, the rules were suspended and the bill passed its third reading, ayes, 37, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams and York—37,

*Negative*—None.

S. R. 246, resolution to procure three stoves for the use of the Senate, on second reading.

Mr. Troy moved to lay on the table. Lost.

Mr. Sandifer offered the following substitute:

“Resolved, that two coal stoves be placed in front of the two fire places in rear of the President's chair, and that said fire places be closed with sheet iron.”

Mr. Troy moved to amend the substitute by striking out "fire places in rear of President's chair," and insert "next to door."

Mr. Caho moved to lay the bill on the table, upon which Mr. Cunningham called for the ayes and nays, which call was sustained.

Mr. Caho offered to withdraw his motion to table, to which Mr. Cunningham objected.

The ayes and nays were called on the motion to table and the motion was lost, ayes, 16, nays, 26, as follows:

*Affirmative*—Messrs. Bennett, Boddie, Caho, Cunningham, Green, Latham, Mercer, Nicholson, Robins, Roberts, Stanford, Stewart, Troy, Waddell, Williams and York—16.

*Negative*—Messrs. Albright, Askew, Bingham, Crawford, Dortch, Dockery, Dunn, Ferguson, Finger, Graham, Heilig, Hughes, Johnston, Justice, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Sandifer, Scales, Stickney, Short and Thorne—26.

Mr. Troy's amendment to the substitute was lost.

The substitute was lost.

The question recurring upon the passage of the resolution its second reading,

Mr. Caho moved to postpone until Saturday next, and make special order for that day.

Mr. Graham moved to strike out that portion of the resolution directing the committee to locate the stoves, which was accepted.

By consent, Mr. Caho withdrew his motion to postpone.

Mr. Latham called for the ayes and nays on the passage of the resolution, its second reading, which call was sustained, and the resolution failed to pass, ayes 20, nays 21, as follows:

*Affirmative*—Messrs. Albright, Crawford, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Mabson, Mebane of Bertie, Mebane of Rockingham,



Moore of Meeklenburg, Robinson, Roberts, Scales, Stickney and Short—20.

*Negative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Doekery, Green, Latham, Liles, Mercer, Nicholson, Robins, Sandifer, Standford, Stewart, Thorne, Troy, Waddell, Williams and York—21.

H. B. 134, S. B. 179, bill to allow mechanics sixty days within which to file their liens, came up on its second reading, it being the special order for to-day.

Mr. Bingham offered a substitute for the bill and moved the bill and substitute be referred to the Committee on Judiciary, which motion prevailed.

H. R. 72, S. R. 198, resolution relative to the burial expenses of P. M. Winchester, on second reading.

On motion of Mr. Latham, it was referred to the Committee on Claims.

S. R. 232, resolution that the Senate meet each day hereafter during the session, at the hour of 10 o'clock a. m. and adjourn at pleasure.

Mr. Graham moved to amend by inserting half past ten o'clock, which prevailed.

The resolution was then adopted

S. R. 216, resolution in favor of Hons. C. H. Brogden, R. F. Armfield, and J. L. Robinson on second reading.

The substitute reported by the Committee on Finance was adopted, resolution then passed its second reading.

H. R. 11, S. R. 149, resolution for the relief of Camden county for the maintainance of a lunatic for the year, 1875 on second reading, and passed.

S. B. 199, bill for the relief of George W. Cansler of Catawba county, on second reading and passed.

On motion of Mr. Finger the rules were suspended and the bill passed its third reading, ayes 41, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Doekery, Dunn, Ferguson, Finger, Green, Heilig, Holt, Hughes,

Johnston, Justice, Latham, Liles Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford Stickney Stewart, Thorne, Troy, Waddell, Williams and York—41.

*Negative*—None.

On motion of Mr. Johnston the Senate went into an executive session.

Senate was called to order by the Lieut. Governor.

On motion of Mr. Liles the Senate adjourned.

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### THIRTIETH DAY.

SENATE CHAMBER, January 10th, 1877.

The Senate met pursuant to adjournment.

Lieutenant Governor Jarvis in the chair.

The journal of yesterday was read and corrected.

Reports from standing committees were submitted as follows:

From Committee on Propositions and Grievances,

By Mr. Dortch:

S. B. 170, bill to incorporate the Independent Order, No. 2, Grand Lodge of the Order of Good Samaritans and Daughters of Samaria, in America, of the State of North Carolina, recommending that it do pass.

S. B. 126, bill to drain Lower Creek, in Burke and Caldwell counties, reporting a substitute, and recommending the substitute do pass.

From Committee on Corporations,

By Mr. Scales: S. B. 187, bill to enable railroads, mining and manufacturing companies to purchase steamboats to be



used in connection with such roads and business; reported certain amendments and as amended recommended the bill do pass.

By Mr. Albright: S. B. 47, bill to incorporate the board of Provincial Elders of the Southern Province of the Moravian Church, *Or Unitas Fratrum*, without recommendation.

By Mr. Nicholson: S. B. 211, bill to incorporate Winston Baptist Church, without recommendation.

By Mr. Thorne: H. B. 192, S. B. 202, bill to incorporate Albemarle Lodge, No. 74, Independent Order of Odd Fellows, Hertford, North Carolina, recommending that action be suspended until legal notice be given as required by law.

From Committee on Internal Improvements,

By Mr. Johnston: S. B. 188, bill to charter the Rutherford and Spartanburg railroad, reporting an amendment and recommending as amended the bill do pass.

From the Committee on Education,

By Mr. Finger: S. B. 82, bill for the improvement and reclamation of certain swamp lands in Onslow and other counties, a majority reporting a substitute, and recommending the substitute do pass.

S. R. 189: Resolution in reference to the free public schools of North Carolina, recommending it do not pass.

From Committee on Corporations,

By Mr. Sandifer: S. B. 242, bill to incorporate the town of Gastonia, in Gaston county, recommending it do pass.

By Mr. Crawford: H. B. 130, S. B. 192, bill to incorporate Zenoah Lodge, No. 235, Independent Order Beni Berith (I. O. B. B.) of Tarboro, Edgecombe county, recommending it do pass.

#### COMMUNICATIONS

From Hon. John M. Worth, Treasurer of the State, in answer to H. R. 70, S. R. 200, resolution of enquiry concerning election returns.

On motion of Mr. Ferguson it was referred to the Committee on Finance.

Message from the House of Representatives—

H. B. 212, S. B. 253, bill to regulate the holding of the Superior Courts of the first Judicial District, placed upon the Calendar.

H. B. 201, S. B. 254, bill to incorporate the town of Beaufort, county of Carteret, referred to the Committee on Corporations.

House amendment to S. B. 183, H. B. 214, bill to prevent the sale of spirituous liquors on the Sabbath day, placed upon the Calendar.

House amendment to S. B. 90, H. B. 162, bill for the relief of sheriffs and tax collectors, placed upon the Calendar.

Also a message announcing the concurrence of the House in the Senate amendments to H. B. 112, S. B. 142, bill to amend chapter 83, section 4, of Battle's Revisal, and in Senate amendments to H. B. 114, S. B. 176, bill to incorporate the town of Laurinburg, and had ordered the same to be enrolled for ratification.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise, disposed of as follows:

By Mr. Moore of New Hanover: S. B. 256, bill in relation to public roads, referred to the Committee on Corporations.

By Mr. Latham: S. B. 256, bill to amend chapter 6 of Battle's Revisal concerning the Insane Asylum, referred to the Committee on Insane Asylum.

By Mr. Moore of Mecklenburg: S. B. 257, bill to incorporate the Biddle University, Referred to the Committee on Corporations.

By Mr. Dortch: S. B. 258, bill to amend chapter 63, section 15 of Battle's Revisal, referred to Committee on Judiciary.

By Mr. Moore of New Hanover: S. R. 259, resolution in



regard to the convicts of the State. Referred to the Committee on Penal Institutions.

Mr. Robinson moved to go into an election of Engrossing Clerk of the Senate to fill a vacancy created by the resignation of Col. J. McLeod Turner.

The motion prevailed, and Mr. Robinson, placed in nomination Mr. W. J. Wilson, of Haywood county.

Mr. Mabson placed in nomination Mr. Nathan Boyd, of Edgecomb county.

The vote stood:

FOR MR. WILSON: Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Justice, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson and York—36.

FOR MR. BOYD: Messrs. Bryant, Dockery, Dunn, Green, Hughes, Mabson, Thorne and Wynne—8.

Mr. Wilson, was declared elected, was qualified and entered upon his duties.

On motion of Mr. Latham the rules were suspended and H. B. 212, S. B. 253, bill to regulate the holding of the Superior Courts of the first Judicial District, was put upon its second reading.

Mr. Sandifer moved to amend: strike out "Clerk of this House" and insert "Secretary of State." Lost.

Bill passed its second reading.

H. R. 11, S. R. 149, resolution for the relief of Camden county, for the maintenance of a lunatic for the year 1875, on third reading, bill passed its third reading ayes 32, nays 8, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Liles, Mebane of Bertie, Mercer, Moore of Mecklenburg,

Sandifer, Scales, Standford, Stickney, Stewart, Thorne, Troy, Waddell, Williams and Wilson—32.

*Negative*—Messrs. Crawford, Green, Latham, Nicholson, Robins, Roberts, Wynne and York—8.

S. B. 90, H. B. 162, bill for the relief of sheriffs and tax collectors. House amendment to the same was concurred in by the Senate, and the bill ordered to be enrolled for ratification.

House amendments to S. B. 183, H. B. 214, bill to prevent the sale of spirituous liquors on the Sabbath, were concurred in and the bill was ordered to be enrolled for ratification.

S. R. 216, resolution in favor of C. H. Brogden. R. F. Armfield and J. L. Robinson, came up on third reading.

Mr. Moore of Mecklenburg, moved to amend by striking out all after the word "appropriated" in line 8, down to and including the word "dollars" in line 12, and insert: "To R. F. Armfield and J. L. Robinson the same *per diem* and mileage as was paid to the members of the General Assembly of 1874-'75, by which they were appointed, for the time consumed and the distance traveled by them in pursuance of said act of 1874-'75, the account to be approved by his Excellency, the Governor of the State."

Mr. Troy moved to amend the amendment:

Strike out "mileage" and insert "actual expenses incurred in discharge of the duties performed."

Which was adopted.

By consent Mr. Moore of Mecklenburg withdrew his amendment.

The question recurring upon the passage of the original resolution on its third reading,

Mr. Troy moved to amend by striking out "three hundred and fifty dollars" and insert "four hundred dollars," and to strike out "two hundred and fifty dollars" and insert "three hundred dollars."



Mr. Moore of Mecklenburg moved to amend the amendment by inserting "four hundred and fifty dollars" instead of "four hundred dollars," and "three hundred and fifty dollars" instead of "three hundred dollars."

On motion, the question was divided and the motion to strike out the amounts in the resolution was put and prevailed.

Mr. Troy then moved to insert "the per diem of the last General Assembly and actual expenses incurred," which, upon the call of the ayes and naves, was lost. Ayes, 20; naves, 24, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Boddie, Crawford, Cunningham, Graham, Heilig, Johnston, Latham, Liles, Mebane of Bertie, Roberts, Standford, Stickney, Thorne, Troy, Waddell, Williams and Wilson—20.

*Negative*—Messrs. Bingham, Bryant, Caho, Coke, Dortch, Dockery, Dunn, Ferguson, Finger, Green, Holt, Hughes, Justice, Mabson, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Sandifer, Scales, Stewart, Short and York—24.

Question recurring upon the amendment offered by Mr. Moore of Mecklenburg, the amendment was adopted.

Mr. Dockery offered an amendment, "and allowing Gov. Brogden his actual expenses while engaged with said commission."

Upon this Mr. Mebane of Bertie called for the ayes and naves, which was not sustained.

The amendment of Mr. Dockery prevailed, on a division, 29 ayes, 11 naves.

Bill then passed its third reading, ayes 30; naves 11, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Mabson, Mebane of Rockingham, Mercer, Moore of Meck-

lenburg, Nicholson, Roberts, Sandifer, Scales, Standford, Thorne, Troy, Williams and Wilson—30.

*Negative*—Messrs. Crawford, Dockery, Dunn, Latham, Liles, Mebane of Bertie, Robins, Stickney, Stewart, Waddell and York—11.

And was ordered forthwith engrossed and sent to the House of Representatives.

On motion of Mr. Liles, S. R. 231, resolution concerning the Clerks of the General Assembly, was put upon its second and passed.

The bill was then put upon its third reading.

Mr. Stickney moved to strike out "mileage."

Mr. Scales moved to indefinitely postpone, which motion prevailed.

On motion of Mr. Latham, H. B. 212, S. B. 253, bill to regulate the holding of the of the Superior Courts of the first Judicial District, was taken up and put upon its third reading.

Mr. Latham moved to amend by striking out "Hyde" in line 19, and insert "Dare;" and strike out "Dare" in line 21 and insert "Hyde."

Mr. Askew moved to amend, so as to require clerk of board of commissioners to issue notice to sheriffs to summons jurors that may be drawn by commissioners or any legal authority, which was lost.

The amendment offered by Mr. Latham was adopted.

Bill then passed its third reading, ayes 37, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Coke, Cunningham, Dortch, Ferguson, Finger, Green, Graham, Heilig, Holt, Johnston, Justice, Latham, Mabson, Mebane of Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson, and York—37.

*Negative*—None.



And was ordered to be engrossed.

S. B. 170, bill to incorporate the Independent Order No. 2, Grand Lodge of the Order of Good Samaritans and Daughters of Samaria in America, of North Carolina, on second reading, and passed.

Under a suspension of the rules, the bill was put upon its third reading.

Mr. Scales moved to amend by inserting after the words "real estate," "to amount not exceeding six thousand dollars in value," which was adopted; and the bill passed its third reading, ayes 41; as follows:

*Affirmative*—Messrs. Albright, Askew, Bennet, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, York—41.

Leave of absence was granted to Mr. Dortch for to-morrow.

Mr. Waddell, from the Committee on Engrossed Bills, reported as properly engrossed,

S. R. 216, resolution in favor of C. H. Brogden, R. F. Armfield and J. L. Robinson.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State:

H. B. 40, S. B. 57, bill for the relief of the tax-payers of North Carolina;

S. B. 142, H. B. 112, bill to amend chapter 83, section 4, Battle's Revisal;

S. R. 74, H. R. 53, resolution in favor of soldiers from North Carolina who lost their entire eye sight in the Confederate service.

Mr. Mebane moved to take up H. B. 130, S. B. 192, bill to

incorporate Zenoah Lodge No. 235, Independent Order "Beni Berrith," (I. O. B. B) of Tarboro, Edgecombe county.

Mr. Stickney moved the Senate do adjourn, and the motion prevailed.

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### THIRTY-FIRST DAY.

SENATE CHAMBER, Jan. 11th, 1877.

Senate met pursuant to adjournment.

Lient. Governor Jarvis in the chair.

Prayer by Rev. Dr. Burkhead, of the city.

The Journal of yesterday was read and approved.

Reports from standing committees were submitted as follows:

From Committee on Judiciary,

By Mr. Coke: S. B. 210, bill to repeal chapter 60, laws of 1871-'72, brought forward in Battle's Revisal, chapter 63, sections 50, 51 and 52, recommending it do not pass.

By Mr. Bingham: H. B. 196, S. B. 203, bill to amend section 52, chapter 63, Battle's Revisal, recommending it do pass.

By Mr. Wilson: H. B. 134, S. B. 179, bill to allow Mechanics sixty days within which to file their liens. Substitute reported, and recommending that the substitute do pass.

By Mr. Bingham: S. B. 247, bill to amend chapter 17, section 9, Battle's Revisal, recommending it do not pass.

By Mr. Scales: S. B. 251, bill to repeal section 82 of chapter 102, Battle's Revisal, recommending it be referred to the Committee on Finance.

By Mr. Mebane of Rockingham: S. B. 215, bill to amend



section 144, chapter 17, Battle's Revisal, recommending it do not pass.

From Committee on Banks and Currency,

By Mr. Mebane of Rockingham: S. B. 1, bill to repeal chapter 84, public laws of 1874-'75, and to regulate the rate of interest, reporting amendments, and recommending, as amended, the bill do pass.

S. B. 164, bill to regulate the rate of interest and to repeal chapter 84, public laws of 1874-'75, recommending it do not pass.

H. B. 193, S. B. 219, bill to extend the charter of certain banks, reporting an amendment and recommending as amended the bill do pass.

From Committee on Claims,

By Mr. Finger: H. R. 67, S. R. 207, resolution in favor of the Hon. Thomas Settle recommending it do pass.

S. R. 38, resolution in favor of G. W. and B. K. Dickey, recommending it do pass.

H. R. 72, S. R. 198, resolution relative to the burial expenses of P. M. Winchester, reporting an amendment and recommending as amended it do pass.

From Committee on Propositions and Grievances,

By Mr. Albright: S. B. 255, bill in relation to public roads, recommending it be referred to the Committee on Judiciary, and asking to be discharged from its further consideration.

From Committee on Corporations,

By Mr. Nicholson: S. B. 214, bill to provide for the working of the public roads of the State, recommending it be referred to the Committee on the Judiciary.

By Mr. Scales: H. B. 191, S. B. 239, bill to amend an act to incorporate the town of Shoe Heel, Robeson county, laws of 1873, and 1874, chapter 121, recommending that it do pass.

On motion of Mr. Mebane of Rockingham, Hon. John Kerr, Judge of the 7th district, was invited to a seat upon the floor of the Senate.

From the Committee on Corporations,

By Mr. Crawford: H. B. 201, S. B. 254, bill to incorporate the town of Beaufort, county of Carteret, recommending it do pass.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of as follows:

By Mr. Stanford: S. B. 260, bill to repeal chapter 37 of public laws of 1874-'75. Referred to Committee on Propositions and Grievances.

By Mr. Crawford: S. B. 261, bill to prohibit the sale of spirituous liquors within three miles of the Episcopal Methodist Church, Saint Mark's Evangelical Lutheran Church, the Missionary Baptist Church, and the Colored Presbyterian Church, of Gold Hill, Rowan county, with a petition from citizens of Gold Hill concerning the same. Bill and petition referred to the Committee on Propositions and Grievances.

By Mr. Moore of New Hanover: S. B. 262, bill for the better protection of churches and religious congregations in this State. Referred to the Committee on Propositions and Grievances.

By Mr. Wilson: S. B. 263, bill to amend section 23, chapter 45, Battle's Revisal. Referred to Committee on Judiciary.

Mr. York, from Committee on Engrossed Bills, reported as properly engrossed,

S. B. 199, bill for the relief of Geo. W. Cansler, of Catawba county.

S. B. 248, bill to abolish the July term of the Superior Court of Wayne county.

S. B. 131, bill to incorporate the town of Ringwood, in the county of Halifax.

S. B. 28, bill to amend section 2, chapter 18, of Battle's Revisal.

S. B. 170, bill to incorporate the Independent order No. 2,



Grand Lodge of the Order of Good Samaritans and Daughters of Samaria in America, of the State of North Carolina.

On motion of Mr. Stickney, S. B. 1, bill to repeal chapter 84, public laws of 1874-'75, and to regulate the rate of interest, as proposed to be amended by the Committee on Banks and Currency, and ordered to be printed.

On motion of Mr. Thorne, the report of the minority of the Committee on Corporations, on S. B. 172, bill to amend the charter of the city of Newbern, submitted by himself, was ordered to be printed.

By consent, Mr. Liles introduced S. R. 264, resolution in relation to the lease of the North Carolina Railroad. Placed upon the calendar.

By consent, Mr. Caho introduced S. R. 265, bill relating to the heating of the Capitol. Placed upon the calendar.

By consent, Mr. Coke introduced S. B. 266, bill to amend the public laws of the State. Referred to the Committee on the Judiciary.

Mr. Troy, from Joint Committee on Penal Institutions, submitted a report in answer to S. R. 91; resolution of instruction to the Joint Committee on Penal Institutions.

On motion of Mr. Robinson, it was transmitted to the House of Representatives with the proposition to print.

Mr. Troy also submitted a proposition from J. C. Brewster, of Raleigh, relative to heating the Capitol. Placed upon the calendar.

S. B. 46, bill to repeal chapter 245, of laws of 1874-'75, was taken up upon its third reading, it being the special order for the hour.

On motion of Mr. Moore of Mecklenburg, the bill was postponed until Thursday 18th inst. at 11½ o'clock A. M., and made the special order for that hour.

#### CALENDAR.

H. B. 130, S. B. 192, bill to incorporate Zenoah Lodge,

No. 235, Independent Order "Beni Berith" (I. O. B. B.) of Tarboro, Edgecombe county, on second reading, and passed.

On motion of Mr. Mabson, the rules were suspended and the bill passed its third reading, ayes 38, naves 3, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dockery, Dunn, Finger, Graham, Holt, Hughes, Justice, Latham, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, York—38.

*Negative*—Messrs. Ferguson, Green, Johnston—3.

S. B. 47, bill to incorporate the Board of Provincial Elders of the Southern Province of the Moravian Church, or *Veritas Fratrum*, on second reading and passed.

On motion of Mr. Wilson, the rules were suspended and the bill passed its third reading, ayes 42, naves 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dockery, Dunn, Ferguson, Finger, Green, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stewart, Thorne, Waddell, Williams, Wilson and York—42.

*Negative*—None.

S. B. 211, bill to incorporate Winston Baptist Church, on second reading and passed.

On motion of Mr. Wilson, the rules were suspended and the bill passed its third reading, ayes 41, naves 0, as follows:

*Affirmative*—Messrs. Albright, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dockery, Dunn, Ferguson, Finger, Green, Graham, Heilig, Holt, Hughes,



Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson and York—41.

*Negative*—None.

Mr. York, from Committee on Engrossed Bills reported as properly engrossed,

H. B. 212, S. B. 253, bill to regulate the holdings of the Superior Courts of the first judicial district.

Message from the House of Representatives

H. B. 190, S. B. 267, bill to prohibit the sale of intoxicating liquor within two miles of Waynesville Academy in the county of Haywood, referred to the Committee on Propositions and Grievances.

H. B. 177, S. B. 268, bill to prevent the felling of timber in the Tennessee river, in Macon county, referred to the Committee on Propositions and Grievances.

H. R. 75, S. R. 269, resolution requesting the State Geologist to furnish the members of this General Assembly with copies of Geological survey of the State, placed upon the calendar.

S. B. 188, bill to charter the Rutherford and Spartanburg Rail Road, on second reading.

Amendments reported by the Committee on Internal Improvements, were adopted, bill then passed its second reading

On motion of Mr. Justice, the rules were suspended, and the bill passed its third reading, ayes 42, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dockery, Ferguson, Green, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts,

Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson, Wynne and York—42

*Negative*—None.

Message from the House of Representatives announcing the concurrence of that body in the proposition of the Senate to print the report of the joint committee on Penal Institutions in reply to S. R. 91, resolution of instruction to the joint committee on Penal Institutions.

S. B. 242, bill to incorporate the town Gastonia, in the county of Gaston, on second reading and passed.

On motion of Mr. Sandifer, the rules were suspended and the bill passed its third reading, ayes 39, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dunn, Ferguson, Finger, Green, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson and York—39.

*Negative*—None.

S. B. 82, bill for the improvement and reclamation of certain swamp lands in Onslow and other counties, on second reading.

Mr. Moore of New Hanover, moved to amend by inserting the names of Adam Empie, Esquire, and Henry Nutt, Esquire, of New Hanover county, on the board of directors and commissioners of said company. Lost.

The substitute reported by the Committee on Education, was adopted.

Bill then passed its second reading.

Message from the House of Representatives announcing the House had concurred in Senate amendments to H. B. 212, S. B. 253, bill to regulate the holding of the Superior Courts of the first Judicial District and had ordered the same enrolled for ratification.

Mr. Caho moved to suspend the rules and put S. B. 82,



bill for the improvement and reclamation of certain swamp lands in Onslow and other counties, on its third reading, and to postpone the bill until Monday next at 12 m. and make it the special order for that hour. The motion prevailed.

S. R. 189, resolution in reference to the Free Public Schools of North Carolina, on second reading. Mr. Moore of New Hanover, asked for the ayes and nays on the passage of the bill its second reading.

Mr. Stickney moved that the bill be indefinitely postponed, upon which Mr. Moore of New Hanover, called for the ayes and nays which was not sustained.

The motion to indefinitely postpone prevailed.

S. R. 264, resolution in relation to the lease of the North Carolina Rail Road, was adopted.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State.

S. B. 90, H. B. 162, bill for the relief of Sheriffs and tax collectors.

S. B. 76, H. B. 216, bill to prevent the hauling of seines and drag-nets in the mouths of Goose, Bairds, Dawsons and Smiths creeks in Pamlico county, in certain seasons.

S. B. 104, H. B. 186, bill to prohibit the sale of spirituous liquors within three miles of Shocco Chapel and People's Hall, in Warren county.

S. B. 241, H. B. 228, bill to authorize the commissioners of Edenton to sell the town commons and other property.

S. B. 183, H. B. 214, bill to prevent the sale of spirituous liquors on Sunday.

H. R. 11, S. R. 149 resolution for the relief of Camden county for the maintenance of a lunatic for the year 1875.

S. R. 216, H. R. 78, resolution in relation to expenses incurred by the commissioners appointed to purchase the Western North Carolina Rail Road.

S. B. 265, bill relating to the heating of the Capitol on second reading.

On motion of Mr. Latham the bill was indefinitely postponed.

S. B. 215, bill to amend section 144, chapter 17, Battle's Revisal on second reading.

On motion of Mr. Albright, the bill was indefinitely postponed.

H. B. 201, S. B. 254, bill to incorporate the town of Beaufort, county of Carteret, on second reading and passed ayes 37, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennet, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson, York—37.

*Negative*—None.

On motion of Mr. Finger, the Senate adjourned.

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## THIRTY SECOND DAY.

SENATE CHAMBER, January, 12th. 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the chair.

The Journal of yesterday was read.

## PETITIONS.

By Mr. Standford : petition from citizens of Jones county, placed upon the calendar.



Reports from standing committees were submitted as follows :

From Committee on Internal Improvements,

By Mr. Johnston, for a majority of the committees, S. B. 67, bill to provide for the speedy completion of the Western North Carolina Rail Road and to amend "an act in relation to the Western North Carolina Rail Road," ratified the 13th, of March, 1875, reporting certain amendments, and as amended recommending the bill do pass.

From Committee on Propositions and Grievances,

By Mr. Dortch : H. B. 148, S. B. 148, bill for the relief of stock raisers in the county of Haywood, recommending it do pass.

S. B. 243, bill requiring beef cattle carried to the town of Wilmington to be weighed, recommending the bill do pass.

S. B. 223, bill to prevent the sale of intoxicating liquors, recommending that it do not pass.

S. R. 252, resolution concerning the eastern band of North-Carolina Cherokee Indians, recommending that it be adopted.

S. B. 244, bill to protect fish in Wacamaw lake and the adjacent waters, recommending it do pass.

From Committee on Penal institutions,

By Mr. Troy : S. R. 259, resolution in regard to the convicts of the State, recommending it do not pass :

From Committee on Corporations,

By Mr. Thorne: H. B. 188, S. B. 237, bill to incorporate the town of Canova, in the county of Catawba, recommending an amendment and as amended, the bill do pass. ✓

By Mr. Scales : S. B. 228, bill to amend and consolidate the charter of the Great Falls Manufacturing Company, located at Rockingham, in the county of Richmond, recommending that action be suspended until proper legal notice shall have been given.

From Committee on Propositions and Grievances,

By Mr. Bingham : S. B. 20, bill to incorporate the first

Ward Bucket Company of the city of Wilmington, recommending it do pass.

S. B. 16, bill to incorporate the laborers union of the city of Wilmington, recommending it do pass.

From Committee on Corporations,

By Mr. Sandifer: H. B. 203, S. B. 238, bill to incorporate Repiton Encampment (I. O. O. F.) Independent Order of Odd Fellows, Tarboro North Carolina, recommending it do pass.

Reports from Select committees were submitted as follows:

From the Committee on the Western North Carolina Rail Road,

By Mr. Troy: report of investigation and testimony taken of the Western North Carolina Railroad in pursuance of H. R. 42, S. R. 161, resolution to raise a joint committee to visit the Western North Carolina Rail Road Company.

On motion of Mr. Graham, the report and testimony was transmitted to the House of Representatives with a proposition to print.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of as follows:

By Mr. Robins: S. B. 270, bill to incorporate the Franklinsville Manufacturing Company in the county of Randolph, referred to the committee on corporations.

By Mr. Stewart: S. B. 271, bill to amend section 12, chapter 63, of Battle's Revisal, and to repeal sections 50, 51 and 52 of said chapter, referred to the Committee on Judiciary.

By Mr. Latham: S. B. 272, bill to amend section 9, chapter 29, Battle's Revisal, referred to the Committee on Judiciary.

Leave of absence was granted Mr. Holt for to-day and to-morrow; to Mr. Mercer for to-day; to Mr. Hughes indefinitely, and to Mr. Johnston for to-day on account of sickness.

The following named bills and resolutions were acted upon as follows:



H. B. 201, S. B. 254, bill to incorporate the town of Beaufort, county of Carteret, on third reading, and passed, ayes 38, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Finger, Green, Heilig, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson, York—38.

*Negative*—None.

S. B. 178, bill to punish assaults with deadly weapons, on second reading.

On motion of Mr. Stanford, the bill was laid upon the table.

S. B. 85, bill to repeal an Act of 1873-'74, chapter 137, so far as relates to Jones county.

Mr. Stanford moved the bill be recommitted to the Committee on Propositions and Grievances, together with a petition introduced by himself this morning from the citizens of Jones county, which prevailed.

H. R. 75, S. R. 269, resolution requesting the State Geologist to furnish the members of the General Assembly with copies of geological survey of the State, was adopted.

H. B. 191, S. B. 239, bill to amend an Act to incorporate the town of Shoe Heel, Robeson county, Laws of 1873-'74, chapter 121, on second reading.

Mr. Moore, of New Hanover moved an amendment :

Strike out the name of "Tilden" and insert that of "Hayes."

Lost.

Bill then passed its second reading.

On motion of Mr. Short, the rules were suspended and the bill was put upon its third reading.

Mr. Dockery moved to strike out "Tilden" and insert "Wheeler."

Lost.

The bill then passed its third reading, ayes 38, naves 4, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Graham, Heilig, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, York—38.

*Negative*—Messrs. Dockery, Green, Mabson, Moore of New Hanover—4.

By permission, Mr. Liles introduced S. R. 273, bill in relation to the sale of liquor near Cedar Creek Church, in Anson county. Referred to the Committee on Propositions and Grievances.

S. B. 214, bill to provide for the working of the public roads of the State, on second reading.

On motion of Mr. Nicholson, the bill was referred to the Committee on Judiciary.

S. B. 255, bill in relation to public roads, on second reading.

On motion of Mr. Nicholson, the bill was referred to the Committee on Judiciary.

H. R. 72, S. R. 198, resolution relative to the burial expenses of P. M. Winchester, on second reading.

The amendment reported by the Committee on Claims, was adopted.

Bill then passed its second reading.

On motion of Mr. Sandifer, the rules were suspended and the bill passed its third reading, ayes 39, naves 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Coke, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Green, Graham, Heilig, Justice, Latham, Liles,



Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson, Wynne, York—39

*Negative*—None.

H. B. 193, S. B. 219, bill to extend the charter of certain banks, on second reading.

Amendment reported by the Committee on Banks and Currency was adopted.

Mr. Stewart moved to strike out the word "passage" and insert the word "ratification," which prevailed.

Bill then passed its second reading.

On motion of Mr. Graham, the rules were suspended and the bill passed its third reading, ayes 36, naves 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Green, Graham, Heilig, Justice, Latham, Mabson, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Thorne, Troy, Waddell, Wilson, Wynne, York—36

*Negative*—None.

Mr. Dortch, from Committee on Propositions and Grievances, reported back a petition from the citizens of Mecklenburg county praying the repeal of an Act of the General Assembly prohibiting the sale of spirituous liquors within one mile of Biddle Institute, and asking to be discharged from its further consideration.

S. R. 38, resolution in favor of G. W. and B. K. Dickey, on third reading.

Mr. Scales moved to refer the bill to the Committee on the Public Debt.

Mr. Graham moved to amend the motion, and refer the bill to the Committee on the Judiciary.

Mr. Graham's amendment was adopted, and the bill was so referred.

On motion of Mr. Robinson, S. B. 67, bill to provide for the speedy completion of the Western North Carolina Railroad, &c., together with the report of the Committee on Internal Improvements, submitted this morning, were taken up.

On motion of Mr. Robinson, the bill was postponed until 12 o'clock M. Wednesday 17th inst., and made the special order for that hour; and that the report of the committee and the amendments proposed be printed, which prevailed.

Mr. Waddell, from Committee on Engrossed Bills, reported as properly engrossed,

S. R. 264, resolution in relation to the lease of the North Carolina Railroad;

S. B. 47, bill to incorporate the Board of Provincial Elders of the Southern Province of the Moravian Church, or *Unitas Fratrum*;

S. B. 211, bill to incorporate the Winston Baptist Church, in the town of Winston.

H. R. 67, S. R. 207, resolution in favor of Hon. Thomas Settle, on second reading and passed. The rules were suspended and the resolution passed its third reading, ayes 40, nays 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Cahoe, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Green Graham, Heilig, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and Wynne—40.

*Negative*—Nicholson and York—2.

Mr. Moore of Mecklenburg, from Committee on Enrolled Bills, reported as properly enrolled,

H. B. 130, S. B. 192, bill to incorporate Zenoah Lodge No.



235, Independent Order "Beni Berith," of Tarboro, North Carolina.

H. B. 212, S. B. 253, bill to regulate the holding of the Spring terms of the Superior Courts of the first Judicial District.

S. B. 164, bill to regulate the rate of interest and to repeal chapter 84, Public Laws of 1874-'75, on second reading-

Mr. Standford moved that the bill be made the special order for Friday next, 19th. inst., at twelve o'clock, and that the bill be printed, which prevailed.

Mr. Stanford moved that all bills now before the Senate on the question of usury and interest, be printed, which motion prevailed.

Message from the House of Representatives announcing the concurrence of that body in the Senate proposition to print the report of the joint select committee to investigate the Western North Carolina Rail Road, with accompanying documents.

Also announcing the passage by that body of the following bills, and asking the concurrence of the Senate in the same,

H. B. 206, S. B. 274, bill authorizing M. L. Arey, tax collector of the town of Salisbury, to collect arrears of taxes for the years 1874-'75, referred to the Committee on Finance.

H. B. 166, S. B. 275, bill making it a misdemeanor to carry concealed deadly weapons, referred to the Committee on Judiciary.

H. B. 213, S. B. 276, bill to require the Secretary of the State to perfect grants for land in certain counties, and to provide that the registers of deeds may do so in certain cases, referred to the Committee on Judiciary.

H. B. 100, S. B. 277, bill to create three new townships in Lenoir county and for other purposes, referred to the Committee on Propositions and Grievances.

Mr. Dunn, by permission, submitted a petition from the

citizens of Lenoir county, which was referred to the Committee on Propositions and Grievances.

S. B. 251, bill to repeal section 82, of chapter 102, Battle's Revisal, on second reading.

On motion of Mr. Robinson, the bill was referred to the Committee on Finance.

S. B. 247, bill to amend chapter 17, section 9, Battle's Revisal, on second reading.

On motion of Mr. Stewart the bill was indefinitely postponed.

H. B. 134, S. B. 179, bill to allow mechanics sixty days within which to file their liens, on second reading.

The substitute reported by the Committee on the Judiciary was read.

Mr. Coke moved to amend the substitute by striking out "60 days" and inserting "30 days."

Mr. York moved to amend, strike out "Clerk of the Superior Court," and insert "Justice of the Peace."

Mr. Justice moved to re-commit the bill to Committee on Judiciary, which prevailed.

On motion of Mr. Scales, the Senate adjourned.

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### THIRTY-THIRD DAY.

SENATE CHAMBER, January 13th, 1877.

Senate met pursuant to adjournment.

Lieut-Governor Jarvis in the chair.

Prayer by Rev. Dr. Prichard, of the city.

The Journal of yesterday was read.

Reports from standing committees were submitted as follows:



From Committee on Corporations,

By Mr. Scales: H. B. 180, S. B. 206, bill to incorporate the Bellevue Cemetery Company, reporting certain amendments, and as amended recommending the bill do pass;

By Mr. Sandifer: S. B. 270, bill to incorporate the Franklinsville Manufacturing Company, in the county of Randolph, recommending it do pass;

By Mr. Nicholson: S. B. 240, bill to establish an additional township in Chowan county, recommending it do pass.

From the Committee on Judiciary,

By Mr. Green: S. B. 182, bill to authorize County Commissioners of Camden county to subscribe ten thousand dollars on account of the Court House Township, to the Elizabeth City and Norfolk Railroad, recommending it do not pass.

By Mr. Graham: S. B. 173, bill in relation to the Probate of Deeds and Conveyances, &c., recommending it do pass;

By Mr. Stewart: S. B. 266, bill to amend the pilot laws of the State, recommending it do not pass;

By Mr. Coke: S. B. 258, bill to amend chapter 63, section 15, of Battle's Revisal, recommending it do pass;

By Mr. Robbins: S. B. 197, bill to repeal chapter 39, of Battle's Revisal, and chapter 112 of laws of 1874-'75, and to re-enact chapter 40 of the Revised Code as amended by chapter 164 Laws of 1868-'69, *in relation to draining lands*, recommending it do pass;

S. B. 213, bill to repeal chapter 39 of Battle's Revisal, and chapter 112 Laws of 1874-'75, amendatory thereof, recommending it do not pass.

From Committee on Propositions and Grievances,

By Mr. Bingham: S. B. 32, bill to incorporate the Hook and Ladder Company No. 2 of the city of Wilmington, reporting an amendment, and as amended recommending it do pass.

The following named bills and resolutions were intro-

duced, read and passed first time, and were referred, or otherwise disposed of as follows:

By Mr. Scales: S. B. 278, bill to enable trustees of the Presbyterian Church or Religious Society, at Louisburg, Franklin county, in the State of North Carolina, to transfer certain property to the trustees of the Presbytery of Orange, in said State. Referred to the Committee on Judiciary.

By Mr. Liles: S. B. 279, bill in relation to the Superior Courts of New Hanover county. Placed upon the calendar.

On motion of Mr. Graham, the rules were suspended, and S. B. 279, bill in relation to the Superior Courts of New Hanover county, was put upon its second reading and passed. Bill then passed its third reading, ayes 33, naves 7, as follows:

*Affirmative*—Mes-rs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Johnston, Justice, Latham, Liles, Mabson, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Scales, Stanford, Stickney, Stewart, Short, Williams, Wilson, York—33.

*Negative*—Messrs. Dockery, Dunn, Green, Mebane of Bertie, Sandifer, Thorne and Wynne—7.

And was ordered sent to the House of Representatives without engrossment.

By Mr. Thorne: S. B. 280, bill to amend chapter 104 Battle's Revisal. Referred to the Committee on Judiciary.

By Mr. Johnston: S. B. 281, bill for the relief of Pinkney Rollins & Co. Referred to the Committee on Claims.

Message from the House of Representatives—

H. B. 256, S. B. 284, bill to prevent the destruction of legal notices. Referred to the Committee on Judiciary.

H. B. 204, S. B. 283, bill in relation to larceny of money. Referred to Committee on Judiciary.

H. B. 169, S. B. 282, bill to prohibit the sale of liquor within one mile of Kings Mountain High School, Cleaveland county. Referred to the Committee on Judiciary.



H. B. 217, S. B. 296, bill to amend chapter 239 Laws of 1874-'75. Referred to the Committee on Judiciary.

By permission, Mr. Troy introduced S. B. 285, bill to provide a special commission for Craven county. Referred to the Committee on Propositions and Grievances.

The following named bills and resolutions were acted upon as follows:

H. B. 196, S. B. 203, bill to amend section 52, chapter 63, Battle's Revisal, on second reading and passed.

S. B. 210, bill to repeal chapter 60, Laws of 1871-'72, brought forward in Battle's Revisal, chapter 63, sections 50, 51 and 52 on second reading.

S. B. 210, bill to repeal chapter sixty, laws of 1871-'72, brought forward in Battle's Revisal, chapter sixty-three, sections fifty, fifty-one and fifty-two, on second reading.

On motion of Mr. Graham, the bill was indefinitely postponed.

S. B. 187, bill to enable railroads, mining, and manufacturing companies to purchase steam boats to be used in connection with such roads and business, on second reading. The amendments reported by the Committee on Corporations were adopted. Bill then passed its second reading.

On motion of Mr. Latham, the rules were suspended, and bill passed its third reading, ayes 41, nays 1, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryan, Caho, Coke, Crawford, Cunningham, Dockery, Dunn, Ferguson, Finger, Graham, Heilig, Johnston, Justice, Latham, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York - 41

*Negative*—None.

S. B. 126, bill to drain Lower Creek, in Burke and Caldwell counties, on second reading.

Substitute reported by the Committee on Propositions

and Grievances was adopted. Bill then passed its second reading.

On motion of Mr. Dortch the rules were suspended, and the bill passed its third reading, ayes 39, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Green, Graham, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Scales, Stanford, Stickney, Thorne, Troy, Waddell, Williams, Wilson and York—39.

*Negative*—None.

S. B. 16, bill to incorporate the Laborer's Union, of Wilmington, on second reading.

Mr. Stewart moved to amend: Add at the end of the third section after the words "real estate" the words "not exceeding six thousand dollars in value," which was adopted.

The bill then passed its second reading.

On motion of Mr. Moore of New Hanover the rules were suspended and the bill put upon its third reading.

Mr. Sandifer moved to amend: Strike out in first section after the name of the last incorporator the words "and others" and insert "and their associates and successors," which prevailed.

Bill then passed its third reading, ayes 36; nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Green, Heilig, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Stanford, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—36.

*Negative*—None.



On motion of Mr. Robins, the rules were suspended and S. B. 270, bill to incorporate the Franklinsville Manufacturing Company, in the county of Randolph, was taken up and put upon its second reading and passed.

The bill then passed its third reading, ayes 36, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Heilig, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne and York—36.

*Negative*—None.

By consent, Mr. Moore of Mecklenburg withdrew from the Senate a petition from certain citizens of Mecklenburg county.

By permission, Mr. Mebane of Rockingham introduced S. R. 286, resolution to amend the joint rules of the General Assembly. Placed upon the Calendar.

By permission Mr. Moore of New Hanover, introduced S. R. 287, resolution in favor of the colored race, placed upon the Calendar.

H. B. 203, S. B. 238, bill to incorporate Repiton Encampment (I. O. O. F.) Independent Order of Odd Fellows, Tarboro, North Carolina, on second reading and passed.

On motion of Mr. Mabson the rules were suspended and the bill passed its third reading, ayes 34, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Heilig, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Micholson, Robins, Robinson, Sandifer, Standford, Stickney, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—34.

*Negative*—None

On motion of Mr. Mebane of Rockingham, the rules were suspended and S. R. 286, resolution to amend the joint rules of the General Assembly, was taken up and adopted and sent forthwith to the House of Representatives.

S. B. 20, bill to incorporate the First Ward Bucket Company, of the city of Wilmington on second reading and passed.

On motion of Mr. Moore of New Hanover, the bill was put upon its third reading.

Mr. Troy moved to amend: "limit the number of members to eighty" which was adopted.

Bill then passed its third reading, ayes 32, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Dunn, Ferguson, Finger, Heilig, Justice, Latham, Liles, Mabson, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Williams, Wilson and York—32.

*Negative*—None.

S. B. 244, bill to protect the fish in Wacamaw Lake and the adjacent waters, on second reading, and passed.

On motion of Mr. Standford the rules were suspended and the bill passed its third reading, ayes 34, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Caho, Coke, Cunningham, Dortch, Dockery, Ferguson, Finger, Heilig, Johnston, Justice, Latham, Liles Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams Wilson and York—34.

*Negative*—None.

S. R. 259, resolution in regard to the convicts of the State, on second reading.

On motion of Mr. Moore of New Hanover it was indefinitely postponed.



Message from the House of Representatives, transmitting a message with accompanying documents from his Excellency the Governor of the State, with a proposition to print.

On motion of Mr. Robinson, the proposition was concurred in.

Also transmitting House substitute for S. B. 102, H. B. 131, bill to repeal chapter 15, laws of 1871-'72 and to re-enact and amend section 1, chapter 273, laws of 1868-'69 without engrossment.

On motion of Mr. Moore of Mecklenburg, the substitute as passed by the House of Representatives was concurred in and the bill was ordered enrolled for ratification.

Mr. Waddell, from the Committee on Engrossed Bills reported as correctly engrossed,

S. B. 188, bill to charter, the Rutherford and Spartanburg Railroad.

S. B. 242, bill to incorporate the town of Gastonia in Gaston county.

Senate amendments to H. B. 193, S. B. 219, bill to extend the charter of certain banks.

Senate amendments to H. R. 72, S. R. 198, resolution in relation to the burial expenses of P. M. Winchester.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Secretary of State.

S. R. 139. H. R. 71, resolution of instruction to the State Geologist.

S. B. 95, H. B. 153, bill to repeal section 13, and amend section 14 of chapter 80 Battle's Revisal, being section 13 and 14 of chapter 169 of the laws of 1869-'70.

H. R. 67, S. R. 207, resolution favor of the Hon. Thomas Settle.

H. B. 201, S. B. 254, bill to incorporate the town of Beaufort, Carteret county.

H. B. 191, S. B. 239, bill to amend chapter 121, laws of

1873-'74, entitled an Act, to incorporate the town of Shoe Heel, Robeson county.

A message was received from his Excellency the Governor of the State nominating,

For Trustees for the Institution of the Deaf and Dumb and Blind: Messrs. R. S. Tucker, J. J. Litchford, Seaton Gales, Thomas D. Hogg, J. R. Williams, Charles D. Heart and J. M. Betts.

Mr. Robinson moved that the Senate, take a recess for the purpose of going into Executive Session, which motion prevailed.

Senate was called to order by the Lieutenant Governor.

On motion of Mr. Finger, S. B. 173, bill in relation to the Probate of Deeds and Conveyances, &c., reported this morning from the committee in Judiciary was taken up and ordered to be printed.

On motion of Mr. Troy the Senate adjourned.

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### THIRTY FOURTH DAY.

SENATE CHAMBER, January, 15th, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the chair.

Prayer by Rev. Dr. Marshall of the City

The Journal of yesterday was read.

Leave of absence was granted to Mr. Graham for to-day; to Mr. Crawford for to-day; to Mr. Justice until Wednesday, and to Mr. Mercer indefinitely.

Reports from Standing Committees were submitted as follows:

From Committee on Engrossed Bills,

By Mr. York as properly engrossed,



S. B. 270, bill to incorporate the Franklinsville Manufacturing Company of the County of Randolph.

S. B. 187, bill to enable Railroads, Mining and Manufacturing Companies to purchase steam boats to be used in connection with such Railroads and business.

S. B. 244, bill to protect Fish in Wacamaw Lake and the adjacent waters.

S. B. 16, bill to incorporate the Laborer's Union of Wilmington, North Carolina.

S. B. 20, bill to incorporate the First Ward Bucket Company of the city of Wilmington.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of as follows:

By Mr. Stanford: S. B. 288, bill to repeal chapter 180 of Public Laws of 1874-'75, referred to the Committee on Propositions and Grievances.

By Mr. Latham: S. B. 289, bill to authorize the commissioners of Bertie to levy a special tax, referred the Committee on Finance.

By Mr. Caho: S. R. 290, resolution in favor of heating the Capitol, placed upon the Calender.

By Mr. Troy: S. B. 291, bill for the benefit of the farmers in Murphy's Swamp and Carver's neck, Rockfish township, county of Cumberland, referred to the Committee on Propositions and Grievances.

S. B. 292, bill supplemental to Act entitled an Act to prevent the sale of malt or spirituous liquors on the Sabbath day, referred to the Committee on Propositions and Grievances.

The following named bills and resolutions were acted upon as follows:

S. R. 287, resolution in favor of the colored race, ~~and second~~ reading.

Mr. Scales moved to refer it to the Committee on the Judiciary.

Mr. Moore of New Hanover moved an amendment to the amendment, "and that it be printed," which was lost. The motion of Mr. Scales was adopted.

S. B. 243, bill requiring beef cattle carried to the town of Wilmington to be weighed, on second reading.

Mr. Troy moved an amendment by adding to section 1st, "unless the seller shall agree to sell without weighing," which was adopted.

Mr. Sandifer moved to amend section 2 by striking out "one month" and inserting "Thirty days" which was adopted.

Bill then passed its second reading.

On motion of Mr. Cunningham, the rules were suspended and the bill was put upon its third reading.

Mr. Troy moved to amend section 2 by striking out "without being weighed," and insert, "in violation of the first section of this act," which was adopted, bill then passed its third reading, ayes 33, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Cunningham, Dortch, Dockery, Ferguson, Finger, Green, Heilig, Holt, Johnston, Latham, Liles, Mabson, Mebane of Bertie, Nicholson, Robins, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Wilson, Wynne and York—33.

*Negative*—None.

And was ordered to be engrossed.

S. B. 223, bill to prevent the sale of intoxicating liquors, on second reading.

Mr. Sandifer moved its indefinite postponement, upon which

Mr. Green called the ayes and nays, which being sustained, the motion of Mr. Sandifer prevailed, ayes 33, nays 4, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Cunningham, Dortch, Ferguson, Finger, Heilig, Holt, Johnston, Latham, Liles, Mabson,



Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Wilson, Wynne and York—33.

*Negative*—Messrs. Dockery, Green, Mebane of Bertie and Moore of New Hanover—4.

H. B. 148, S. B. 148, bill for the relief of stock raisers in the county of Haywood, on second reading and passed.

On motion of Mr. Ferguson the rules were suspended and the bill passed its third reading, ayes 33, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Cahoon, Cunningham, Dortch, Dockery, Ferguson, Finger, Green, Heilig, Holt, Johnston, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Scales, Stanford, Stickney, Stewart, Thorne, Troy, Wilson and York—33.

*Negative*—None.

H. B. 180, S. B. 206, bill to be entitled an Act to incorporate the Bellevue Cemetery Company, on second reading.

Amendments reported by the Committee on Corporations were adopted.

Mr. Sandifer moved an amendment: Add to the end of section 5 the words "or imprisoned not exceeding 30 days," which was adopted.

Bill then passed its second reading.

On motion of Mr. Short, the rules were suspended and the bill passed its third reading, ayes 32, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Cahoon, Cunningham, Dortch, Dockery, Ferguson, Finger, Green, Heilig, Holt, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Nicholson, Robins, Robinson, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Wilson and York—32.

*Negative*—None.

At 12 M. S. B. 82, bill for the improvement and reclama-

tion of certain swamp lands in Onslow and other counties, was taken up upon its third reading, it being the special order for that hour.

Mr. Askew moved to amend: Add, as section 14: "That said company shall be required to build and keep in repair any bridges on public highways and roads which said canal may cross," which was adopted.

Mr. Standford moved to amend: In line 4, section 13, strike out the words "six" and insert "three."

Mr. Mebane of Rockingham moved to amend the amendment by striking out "three" and insert "five," which was lost.

Mr. Standford's amendment prevailed.

Mr. Standford moved to amend: In section 13, line 2, strike out the words "two years" and insert "twelve months," "and shall prosecute the same continuously until completed," which was adopted.

Mr. Cahoon moved to amend, to add another section between section six and eight:

"SEC. —. That said New River Canal Company shall construct their main trunk line canal from Neuse river through Bay river swamp to Pamlico river, beginning at either Beard's, Dawson's or Smith's creek on Neuse river, thence to either Trent or Neal's creek, and with such creek to Bay river, and from Bay river to either South, Campbell's or Goose creek, and with such creek to Pamlico river. Said canal shall be forty feet wide and navigable for such steamboats as are used for navigating other canals in this State. And when said New river Canal Company shall construct said main trunk line canal through Bay river swamp, with all necessary branch drains and have taken off the overflow water upon said Bay river swamps, so that the same can be thoroughly drained and reclaimed for agricultural purposes by plantation ditches, then the said New River Canal Company shall be entitled to one half of such



State lands so reclaimed. And that James S. Lane, of Pamlico county, and William A. Thompson, of Beaufort county, are appointed commissioners and agents for the State to act conjointly with the other State agents and commissioners named in section one of this act."

Which was adopted.

Mr. Ferguson offered an amendment after the word "State" in line 4 section 12 add "or any private individual," which was adopted.

On motion of Mr. Robinson, the bill was recommitted to the Committee on Education.

Message from the House of Representatives: That the House had concurred in the S. R. 286, resolution to amend the joint rules of the General Assembly.

By permission Mr. Mebane of Bertie, introduced S. B. 293, bill regarding the fishermen of the State, referred to the Committee on Propositions and Grievances.

By permission Mr. Johnston introduced S. R. 294, resolution in favor of special committee appointed to investigate affairs of W. N. C. Railroad and Western Insane Asylum, placed upon the Calendar.

S. B. 240, bill to establish an additional township in Chowan county, on second reading and passed.

On motion of Mr. Latham the rules were suspended, and the bill passed its third reading, ayes, 29, nays 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Ferguson, Finger, Heilig, Holt, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Robins, Robinson, Sandifer, Scales, Standford, Stickney, Stewart, Thorne, Troy, Waddell, Wilson and York—29.

*Negative*—Messrs. Green and Mabson—2.

S. B. 258, bill to amend chapter 63 section 15 of Battle's Revisal, on second reading and passed.

On motion of Mr. Cunningham, the rules were suspended

and the bill passed its third reading, ayes 32, nays 2, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Dortch, Dockery, Ferguson, Finger, Heilig, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—32.

*Negative*—Messrs. Green and Mebane of Bertie—2.

S. B. 197, bill to repeal chapter 39 of Battle's Revisal, and chapter 112, of laws of 1874-'75 and to re-enact chapter 40 of the Revised Code, as amended by chapter 164, laws of 1868-'69, in relation to draining lands, on second reading and passed.

On motion of Mr. Latham, the rules were suspended and the bill passed its third reading, ayes 30, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Cunningham, Dortch, Dockery, Ferguson, Finger, Heilig, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—30.

*Negative*—None.

By consent Mr. Troy introduced S. R. 295, resolution of instruction to the Keeper of the Capitol, placed upon the Calendar.

Mr. Caho moved the Senate do adjourn, which did not prevail.

S. B. 213, bill to repeal chapter 39 of Battle's Revisal, and chapter 112, laws of 1874-'75 amendatory thereof, on second reading.

On motion of Mr. Albright, the bill was indefinitely postponed.

S. B. 32, bill to incorporate the Hook and Ladder Company, No. 2, of the city of Wilmington, on second reading.



Amendments reported by the Committee on Corporations, were adopted.

Bill then passed its second reading.

On motion of Mr. Moore of New Hanover, the rules were suspended and the bill passed its third reading, ayes 32, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Dortch, Ferguson, Finger, Heilig, Holt, Johnston, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Nicholson, Robins, Robinson, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, York—32.

*Negative*—0.

S. R. 294, resolution in favor of the Special Committee appointed to investigate the affairs of the Western North Carolina Railroad and the Western Insane Asylum, on second reading, and passed.

On motion of Mr. Johnston, the rules were suspended and the bill passed its third reading, yeas 31, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Ferguson, Finger, Heilig, Holt, Johnston, Latham, Liles, Mabson, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Wilson, York—31.

*Negative*—0.

S. R. 295, resolution of instruction to the keeper of the capitol.

Mr. Liles moved its reference to the committee on Public Buildings and Grounds, with instructions to inquire and report the number of cubic yards, and probable cost of stone curbing proposed to be put around the capitol square, which prevailed.

Mr. Moore of New Hanover, moved to adjourn. Lost.

S. R. 290, resolution in favor of heating the capitol, on second reading.

On motion of Mr. Robinson, it was referred to the committee on Public Buildings and Grounds.

On motion of Mr. Caho, the Senate adjourned.

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### THIRTY-FIFTH DAY.

SENATE CHAMBER, January 16th, 1877.

Senate met pursuant to adjournment.

Lieut. Gov. Jarvis in the chair.

Prayer by Rev. Dr. Vaughan, of the city.

The Journal of yesterday was read.

Leave of absence was granted, for to-day, to Messrs Graham and Liles;

Also to Mr. Coke, for to-day, on account of sickness.

#### PETITIONS AND MEMORIALS.

By Mr. Scales: Memorial from the Southern Mutual Insurance Company;

Referred to the Committee on Insurance.

Reports from Standing Committees were submitted as follows:

From the Committee on Propositions and Grievances,

By Mr. Dortch: S. B. 260, bill to repeal chapter 37 Public Laws of 1874-'75, reporting an amendment and, as amended, recommending the bill do pass.

H. B. 100, S. B. 277, bill to create three new townships in Lenoir county and for other purposes, a majority of the committee recommending it do pass.



From the Committee on the Judiciary,

By Mr. Wilson: H. B. 134, S. B. 179, bill to allow mechanics sixty days within which to file their liens, reporting a substitute for the same and recommending the substitute do pass.

By Mr. Robins: H. B. 157, S. B. 204, bill to amend chapter 136 of Private Laws of 1873-'74, recommending it do pass.

S. R. 38, resolution in favor of G. W. and B. K. Dickey, without recommendation, and asking to be discharged from its further consideration.

By Mr. Scales: H. B. 166, S. B. 275, bill making it a misdemeanor to carry concealed deadly weapons, recommending it do pass.

By Mr. Bingham: S. B. 214, bill to provide for the working of the public roads of the State, recommending its reference to the Judiciary Committee, and asking to be discharged from the further consideration of the same.

S. B. 255, bill in relation to public roads, recommending it do not pass.

By Mr. Ferguson: S. B. 217, resolution of instruction to the Attorney-General to bring suit to recover the locks and dams and water power of Deep River, reporting unfavorably.

S. B. 194, bill to declare the disciplinary rights of secret benevolent societies, recommending that it do not pass.

From the Joint Committee on Printing,

By Mr. Wilson: H. R. 69, S. R. 208, resolution in favor of the "News Publishing Company," recommending it do pass.

From the Committee on the Judiciary,

By Mr. Stewart: S. B. 201, bill to define and declare the punishment for burglary, recommending it do not pass.

S. B. 272, bill to amend section 9, chapter 29, Battle's Revisal, without recommendation.

From the Committee on Engrossed Bills, as properly engrossed,

By Mr. Waddell: S. B. 126, bill to drain Lower Creek, in Burke and Caldwell counties;

S. B. 243, bill requiring beef cattle carried to the town of Wilmington to be weighed;

S. B. 240, bill to establish an additional township in Chowan county;

S. B. 258, bill to amend chapter 63, section 15, Battle's Revisal;

S. B. 32, bill to incorporate Hook and Ladder Company No. 2, of Wilmington;

S. B. 197, bill to repeal chapter 39, Battle's Revisal, and chapter 112, Laws of 1874-'75;

S. R. 294, resolution in favor of the special committee appointed to investigate the Western North Carolina Railroad and the Western Insane Asylum;

Senate amendment to H. B. 180, S. B. 206, bill to incorporate the Bellevue Cemetery Company.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State:

H. B. 203, S. B. 238, bill to incorporate Repiton Encampment No. 13, Independent Order of Odd Fellows, Tarboro, North Carolina;

S. B. 279, H. B. 268, bill providing for holding the January term 1877, of the Superior Court of the county of New Hanover;

S. B. 102, H. B. 131, bill to repeal chapter 15, Laws of 1871 and 1872, and to re-enact and amend section 1, chapter 273, Laws of 1868-'69;

H. R. 72, S. R. 198, resolution relative to the burial expenses of P. M. Winchester;

H. B. 193, S. B. 219, bill to extend the charter of certain banks;

S. B. 114, H. B. 161, bill concerning the exchange of public documents of the State of North Carolina, with other states, territories and governments;



H. B. 148, S. B. 148, bill for the relief of stock-raisers in the county of Haywood.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows :

By Mr. Mebane of Rockingham: S. B. 297, bill to require sheriffs and tax collectors to make publications of lists of delinquent tax-payers, referred to the Committee on Judiciary.

Ry Mr. Moore of Meeklenburg: S. B. 298, bill authorizing the foreman of a grand jury to swear witnesses, referred to the Committee on the Judiciary.

By Mr. Thorne: S. B. 299, bill to amend the law of divorce in sections 4 and 5, chapter 37, Battle's Revisal, referred to the Committee on the Judiciary.

By Mr. Moore of New Hanover; S. B. 300, bill in regard to excessive bonds and punishments, referred to Committee on Judiciary.

By Mr. Mebane of Rockingham: S. B. 301, bill in relation to receipts for taxes, referred to the Committee on Judiciary.

S. B. 302, bill for the encouragement of Watering places, referred to the Committee on Propositions and Grievances.

The following named bills and resolutions were acted upon as follows:

H. B. 196, S. B. 203, bill to amend section 52, chapter 63, Battle's Revisal on third reading.

Mr. Scales moved an amendment:

Add at the end of section 1: "*Provided*, That this Act shall not apply to actions commenced and pending before its ratification."

Which was adopted.

Bill then passed its third reading; ayes 37, nays 1, as follows.

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch,

Dockery, Dunn, Ferguson, Finger, Folk, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Thorne, Troy, Waddell, Williams, Wilson, York—37.

*Negative*—Mr. Green—1.

At 11 A. M., S. B. 172, bill to amend the charter of the city of Newbern, on third reading, was taken up, it being the special order for that hour.

The amendment reported by the Committee on Corporations, was adopted.

Bill then passed its third reading, yeas 32, nays 10, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Heilig, Holt, Johnston, Latham, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson, York—32.

*Negative*—Messrs. Bryant, Dockery, Dunn, Green, Hughes, Mabson, Mebane of Bertie, Moore of New Hanover, Thorne, Wynne—10.

Message from the House of Representatives:

H. B. 208, S. B. 305, bill to prevent wilful interference with water cocks, valves, &c., of the Western Insane Asylum, referred to the Committee on Judiciary.

H. B. 224, S. B. 306, bill to amend the charter of Davidson College, referred to Committee on Corporations.

H. B. 225, S. B. 303, bill to incorporate the town of Holly Springs, in the county of Wake, referred to Committee on Corporations.

House substitute for S. B. 59, H. B. 152, bill to make the embezzlement of trust funds by officers, a felony, placed upon the Calendar.

H. R. 86, S. R. 304, resolution proposing to raise a Joint



Select Dommittee on dividing the State into nine Judicial Districts, placed upon the Calendar.

H. R. 86, S. R. 304, resolution proposing to raise a Joint Select Committee on dividing the State into nine Judicial Districts, was taken up and adopted; and Messrs. Dortch, Coke, Scales and Ferguson were appointed the Senate branch of said Committee.

S. B. 260, bill to repeal chapter 37, of Public Laws of 1874-'75, on second reading

Amendment reported by the Committee on Propositions and Grievances was adopted; bill then passed its second reading.

On motion of Mr. Standford, the rules were suspended and the bill passed its third reading, yeas 35, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Crawford, Cunningham, Dortch, Dockery, Ferguson, Finger, Folk, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson, York—35.

*Negative*—0.

S. B. 225, bill in relation to public roads on second reading, on motion of Mr. York, it was indefinitely postponed.

H. B. 166, S. B. 275, bill making it a misdemeanor to carry concealed deadly weapons, on second reading.

Mr. Standford moved to amend:

Insert after the word "knuckles," in section one "razors."

On motion of Mr. Moore of New Hanover, the bill was re committed to the committee on Judiciary.

H. B. 157, S. B. 204, bill to amend chapter 136, of Private Laws of 1873-'74, on second reading and passed.

On motion of Mr. Moore of New Hanover, the rules were

suspended and the bill was put upon its third reading.

Mr. Robins moved to amend:

Insert the word "and," after the word "vice-president," wherever it occurs in the bill, except in the first two instances. Adopted.

Bill then passed its third reading. Yeas, 39; nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Folk, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Morre of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne, York.—39.

*Negative*—0.

H. R. 69, S. R. 208, resolution in favor of the "News Publishing Company," on second reading and passed.

Under a suspension of the rules, the bill passed its third reading; ayes 37, nays 0, as follows.

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Folk, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne, York—37.

*Negative*—0.

On motion of Mr. Standford, Honorable James T. Morehead, a former President of the Senate, was invited to a seat on the floor of the Senate.

H. B. 134, S. B. 179, bill to allow mechanics sixty days within which to file their liens, on second reading.



The substitute reported by the Committee on Judiciary was adopted ; bill then passed its second reading.

On motion of Mr. Wilson, the rules were suspended and the bill was put upon its third reading.

Mr. Mebane of Bertie, moved to amend :

Strike out in section 2 the words "30 days," and insert "60 days."

Lost.

Mr. Mebane of Rockingham, moved an amendment :

"The fees of the clerk shall be 25 cents."

Lost.

Bill then passed its third reading, yeas 37, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne, York.—37.

*Negative*—Mr. Robins.—1.

Mr. Latham was granted permission to withdraw S. B. 272, bill to amend section 9, chapter 29, Battle's Revisal, for revision.

H. B. 100, S. B. 277, bill to create three new townships in Lenoir county and for other purposes, on second reading.

Mr. Dunn moved to indefinitely postpone. Lost.

Bill passed its second reading and,

On motion of Mr. Standford, the bill was put on its third reading.

Mr. Dunn moved an amendment :

Add the following new section after section 4 :

That the Board of Commissioners of said county shall submit, in accordance with the election laws of the State, the question of creating three new townships to the qualified voters residing within the limits of the townships hereby proposed to be created, on the first Thursday in May, A. D. 1877, at the polling places hereinbefore designated; and those in favor of creating the new townships shall vote a ticket with the word "townships" written or printed thereon, and those not in favor of creating the new townships shall vote a ticket with the words "no townships" written or printed thereon; and if a majority of said voters shall be in favor of the alterations herein provided for, then the townships shall be in accordance with the provisions of this Act. But if a majority of the qualified voters aforesaid shall be against the proposed alterations, then the townships shall remain as heretofore."

Upon which he asked the ayes and nays, and the amendment was lost ayes 14, nays 27, as follows:

*Affirmative*—Messrs. Bingham, Cunningham, Dockery, Dunn, Ferguson, Green, Hughes, Johnston, Justice, Mabson, Mebane of Bertie, Thorne, Troy, Wynne—14.

*Negative*—Messrs. Albright, Askew, Bennett, Boddie, Caho, Crawford, Dortch, Finger, Heilig, Latham, Liles, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Waddell, Williams, Wilson York—27.

Bill then passed its third reading, yeas 33, nays 9, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson, York—33.

*Negative*—Messrs. Dockery, Dunn, Green, Hughes, Mab-



son, Mebane of Bertie, Moore of New Hanover, Thorne, Wynne—9.

On motion of Mr. Thorne, S. B. 299, bill to amend the law of divorce, in sections 4 and 5, chapter 37, of Battle's Revisal, introduced by himself this morning, was ordered to be printed.

On motion of Mr. Finger, the Senate adjourned.

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### THIRTY-SIXTH DAY.

SENATE CHAMBER, Jan. 17th, 1877.

Senate met pursuant to adjournment.

Mr. Robinson in the chair.

Prayer by Rev. Dr. Burkhead, of the city.

The Journal of yesterday was read.

Mr. Moore of New Hanover, asked leave to be entered upon the Journal as favoring the amendment offered yesterday, by Mr. Dunn, to H. B. 100, S. B. 277, bill to create three new townships in Lenoir county, and for other purposes, proposing to submit the question of the new townships to the voters in the territory proposed to be affected; he having voted in the negative under a misapprehension. Permission was granted.

### PETITIONS AND MEMORIALS.

By Mr. Robins: Memorial of the Rev. Dr. B. Craven, on the subject of education, referred to the Committee on Education, and ordered to be printed.

By Mr. Cunningham: Petition asking a bill may be

passed to allow Milton Township, in Caswell county, to subscribe \$15,000 to the capital stock of the Milton and Sutherlin Narrow Gauge Railroad. Placed upon the calendar.

By Mr. Troy: Petition from citizens of Rockfish township, county of Cumberland, referred to the Committee on Propositions and Grievances.

Reports from Standing Committees were submitted as follows:

By Mr. Dortch: H. B. 177, S. B. 268, bill to punish the felling of timber in the Tennessee River, in Macon county, recommending it do not pass.

From Committee on Education,

By Mr. Finger: S. B. 82, bill for the improvement and reclamation of certain swamp lands in Onslow and other counties, recommending the substitute, as amended, and heretofore reported by the Committee, do pass.

From Committee on Engrossed Bills,

By Mr. York, as properly engrossed: S. B. 172, bill to amend the charter of the city of Newbern;

S. B. 260, bill to repeal an Act concerning the taking of fish in the waters of Goshen Swamp;

Senate amendments to H. B. 134, S. B. 179, bill to allow mechanics sixty days within which to file their liens;

Senate amendments to H. B. 196, S. B. 203, bill to amend section 52, chapter 63, Battle's Revisal;

Senate amendments to H. B. 157, S. B. 204, bill to amend chapter 136, Private Laws of 1873-'74.

Message from the House of Representatives:

H. R. 87, S. R. 307, resolution relative to carpeting the office of Principal Clerk of this House, placed upon the calendar.

H. B. 230, S. B. 308, bill to amend chapter one hundred and thirty-one (131), Laws of 1874-'75, relative to the charter of Kinston, referred to the Committee on Corporations.

H. B. 207, S. B. 309, bill to amend Battle's Revisal, chap-



ter 104, section 26, referred to the Committee on Judiciary.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

By Mr. Folk: S. B. 310, bill to perfect titles to lands sold under decrees of courts of equity, referred to the Committee on Judiciary.

By Mr. Dortch: S. B. 311, bill in relation to the several penal and charitable institutions of the State, referred to the Committee on the Judiciary.

By Mr. York: S. B. 313, bill to legalize the Reddie's River township in Wilkes county, referred to the Committee on Corporations.

By Mr. Mebane of Bertie: S. B. 312, bill relative to journeymen mechanics, referred to the Committee on the Judiciary.

By Mr. Sandifer: S. B. 314, bill to amend chapter 101 Battle's Revisal, by adding another section thereto, referred to the Committee on Judiciary.

By Mr. Nicholson: S. R. 315, resolution in favor of W. F. Wasson, former sheriff of the county of Iredell, referred, with accompanying papers to the Committee on Claims.

By Mr. Moore of New Hanover: S. B. 316, bill for the protection of buzzards, referred to the Committee on Propositions and Grievances.

By Mr. Holt: S. B. 317, bill to amend chapter 17, sub-chapter 3, of Battle's Revisal, referred to the Committee on Judiciary.

The following bills and resolutions were acted upon as follows:

S. R. 217, resolution instructing the Attorney-General to bring suit to recover the locks and dams and water-power of Deep River, on third reading.

On motion of Mr. Justice, it was laid upon the table.

S. B. 194, bill to declare the disciplinary rights of secret benevolent societies, on second reading.

On motion of Mr. Ferguson, it was indefinitely postponed.

At 11 o'clock, S. B. 67, bill to provide for the speedy completion of the Western North Carolina Railroad, and to amend an Act entitled "an Act in relation to the Western North Carolina Railroad," ratified the 13th day of March, A. D., 1875, was taken up on second reading, it being the special order for that hour.

Mr. Bingham moved to postpone further consideration until Saturday next at 11½ o'clock.

Mr. Troy moved to amend by saying Tuesday at 11½ o'clock, and make the special order for that hour, which prevailed, and the bill was so disposed of.

Engrossed House amendments in the nature of a substitute to S. B. 59, H. B. 152, bill to make the embezzlement of trust funds by officers a felony, was concurred in, and the same ordered to be enrolled for ratification.

On motion of Mr. Folk, S. B. 160, bill to aid in the construction of the Chester & Lenoir Narrow-Gauge Railroad, and the Watauga & Caldwell Narrow-Gauge Railroad, was taken up on its second reading.

Question recurred upon the adoption of the substitute reported by the Committee on Corporations.

Mr. Finger offered the following as an additional section:

"SEC. — That section 1 of chapter 134 Laws of 1874-'75 be amended by striking out the words "thirty thousand" in lines 11 and 12, and inserting the words "twenty thousand" in lieu thereof."

Mr. Troy moved to amend:

Add after the word "fifty," in section 2, "but the number assigned said road directly from the courts of the above mentioned counties, and from the penitentiary, shall not exceed seventy-five."



Which was adopted.

Mr. Finger's amendment was adopted.

Substitute was then adopted.

Mr. Ferguson moved to postpone until Saturday next at 11 o'clock. Lost.

Bill then passed its second reading; and

On motion of Mr. Folk, the bill was put on its third reading.

Mr. Johnston moved to amend:

Insert after the word "convicts" in line 9, section 2, the words "whose sentence of imprisonment is not more than two years."

Which was lost.

Bill then passed its third reading, ayes 36, nays 8, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Folk, Green, Graham, Holt, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, York—36.

*Negative*—Messrs. Bryant, Crawford, Heilig, Hughes, Mabson, Moore of Mecklenburg, Moore of New Hanover, Robins—8.

By consent, Mr. Latham re-introduced S. B. 272, bill to amend section 9, chapter 29, Battle's Revisal, referred to the Committee on Judiciary.

On motion of Mr. Standford, the Senate adjourned.

## THIRTY-SEVENTH DAY.

SENATE CHAMBER, January 18th, 1877.

Senate met pursuant to adjournment.

Lieut. Gov. Jarvis in the chair.

The journal of yesterday was read.

## PETITIONS AND MEMORIALS.

By Mr. Cunningham: Memorial of the Executive Committee of Bondholders of the State of North Carolina, referred to the committee on the Public Debt.

By Mr. Wilson: Petition from the citizens of Forsyth county, referred to the Committee on Propositions and Grievances.

Reports from Standing Committees were submitted as follows:

From Committee on Judiciary,

By Mr. Wilson: S. B. 301, bill in relation to receipts for taxes, recommending it do pass.

By Mr. Bingham: S. B. 271, bill to amend section 12, chapter 63 of Battle's Revisal, and to repeal sections 50, 51 and 52 of said chapter, recommending it do not pass.

By Mr. Robins: H. B. 208, S. B. 305, bill to prevent wilful interference with water-cocks, valves, etc., of the Western North Carolina Insane Asylum, recommending it do pass.

By Mr. Mebane of Rockingham: S. B. 298, bill to authorize the foreman of a grand jury to swear witnesses, recommending it do not pass.

By Mr. Seales: H. R. 26, S. R. 193, resolution concerning the relations between the white and colored people of the State, recommending it do pass.

S. R. 177, resolution in favor of the working people, recommending it do not pass.



S. R. 287, resolution in favor of the colored race, recommending it do not pass.

By Mr. Mebane of Rockingham: H. B. 217, S. B. 296, bill to amend chapter 239, laws of 1874-'75, recommending its reference to the Committee on Propositions and Grievances.

H. B. 169, S. B. 282, bill to prohibit the sale of liquor within one mile of King's Mountain High School, Cleaveland county, recommending its reference to the Committee on Propositions and Grievances.

By Mr. Stewart: S. B. 300, bill in regard to excessive bond and punishment, recommending it do not pass.

By Mr. Folk: H. B. 166, S. B. 275, bill to make it a misdemeanor to carry concealed deadly weapons, reporting an amendment, and as amended recommend the bill do pass.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of as follows:

By Mr. Cunningham: S. B. 318, bill to allow Milton township, in the county of Caswell, to subscribe the sum of fifteen thousand dollars in payment of stock in the Milton and Sutherlin Narrow Gauge Railroad Company, if approved by three-fifths of the qualified voters of said township. Placed upon the calendar.

By Mr. Dortch, (by request): S. B. 319, bill to incorporate the Farmers' Savings Bank, of Ridgeway. Referred to the Committee on Corporations.

By Mr. Williams: S. B. 325, bill to protect the fishing interest of Contentnea and Black Creeks. Referred to the Committee on Propositions and Grievances.

On motion of Mr. Coke, S. B. 235, bill to authorize the Commissioners of Pasquotank county to levy a special tax, reported back by the Committee on the Judiciary, was referred to the Committee on Propositions and Grievances.

By Mr. Folk: S. B. 326, bill to change the time of holding the Superior Courts in the 10th Judicial District. Placed upon the calendar.

By Mr. Mebane of Rockingham: S. B. 320, bill to authorize the Dan River Navigation Company to employ convicts. Referred to the Committee on Internal Improvements.

By Mr. Finger: S. B. 321, bill to extend the jurisdiction of Justices of the Peace. Referred to the Committee on Judiciary.

By Mr. Moore of New Hanover: S. B. 322, bill for the protection of king snakes. Referred to the Committee on Propositions and Grievances.

By Mr. Mebane of Bertie: S. B. 323, bill for the protection of benevolent societies. Referred to the Committee on Propositions and Grievances.

By Mr. Finger: S. B. 324, bill to incorporate the town of Denver, in the county of Lincoln. Referred to the Committee on Corporations.

Reports from Joint Select Committee were submitted as follows:

From Committee to visit the Western Insane Asylum.

By Mr. Troy: Report of Investigation of Committee appointed under H. R. 48, S. R. 117, resolution to appoint a Joint Committee to visit the Western Insane Asylum.

On motion of Mr. Sandifer, the report was transmitted to the House of Representatives, with a proposition to print.

Message from the House of Representatives, announcing the concurrence of that body in the proposition to print the report of the Joint Select Committee to visit the Western Insane Asylum.

The following named bills and resolutions were acted upon as follows:

S. B. 46, bill to repeal chapter 245, laws of 1874-'75, was taken up on third reading, at 11 o'clock, it being the special order for that hour.

The bill failed to pass its third reading, ayes 16, nays 31, as follows:

*Affirmative*—Messrs. Albright, Crawford, Cunningham, Dortch, Dockery, Dunn, Johnston, Nicholson, Robins,



Roberts, Standford, Stewart, Troy, Waddell, Wynne and York—16.

*Negative*—Messrs. Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Ferguson, Finger, Folk, Green, Graham, Heilig, Holt, Hughes, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Sandifer, Scales, Stickney, Short, Thorne, Williams and Wilson—31.

Mr. Robinson moved to reconsider the vote by which the bill failed to pass its third reading, and moved to lay that motion upon the table, upon which

Mr. Crawford called the ayes and nays, which was not sustained.

The motion of Mr. Robinson prevailed.

On motion of Mr. Robinson, the Senate adjourned.

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### THIRTY-EIGHTH DAY.

SENATE CHAMBER, Jan. 19th, 1877.

Lieut. Governor Jarvis in the chair.

Prayer by the Rev. Mr. Norman, of the city.

Journal of yesterday was read.

#### MEMORIALS AND PETITIONS.

By Mr. Standford: Petition from citizens of New Hanover and Pender counties. Referred to Committee on Propositions and Grievances.

By Mr. Stewart: Petition from the citizens of Tally Ho, Granville county. Referred to the Committee on Propositions and Grievances.

Reports from Standing Committees were submitted as follows:

From Committee on Propositions and Grievances,

By Mr. Dortch: S. B. 85, bill to repeal an act of 1873-'74, chapter 137, so far as it relates to Jones county, recommending that it do not pass;

S. B. 292, bill supplemental to an act to prevent the sale of malt or spirituous liquors on the Sabbath day, reporting certain amendments, and as amended recommending the act do pass.

By Mr. Wright: S. B. 316, bill for the protection of buzzards, recommending it do not pass;

S. B. 302, bill for the encouragement of watering places, recommending it do not pass;

S. B. 285, bill to provide for a special commission for the county of Craven, recommending it do pass.

From Committee on Corporations,

By Mr. Albright: H. B. 224, S. B. 306, bill to amend the charter of Davidson College, recommending it do pass.

By Mr. Scales: S. B. 319, bill to incorporate the Farmers' Savings Bank of Ridgeway, recommending action be suspended until legal notice, as required by law, shall have been given;

S. B. 313, bill to legalize the Reddies River township, in Wilkes county, recommending it do pass.

By Mr. Thorne: H. B. 225, S. B. 303, bill to incorporate the town of Holly Springs, in the county of Wake, recommending it do pass.

From Committee on Judiciary,

By Mr. Ferguson: S. B. 175, bill to amend sections 75 and 76 of chapter 33, Battle's Revisal, and to regulate the manner of summoning juries in capital causes, recommending it do pass;

S. B. 297, bill to require sheriffs and tax-collectors to make publication of lists of delinquent tax-payers, recommending it do pass.



From Committee on Engrossed Bills,

By Mr. Waddell: As properly engrossed, S. B. 160, bill to aid in the construction of the Chester and Lenoir Narrow Guage and the Watauga and Caldwell Narrow Guage Railroads.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of as follows:

By Mr. Standford: S. B. 327, bill to regulate the sale of live stock in the city of Wilmington. Referred to Committee on Propositions and Grievances.

By Mr. Troy: Bill to establish a Department of Agriculture for the state of North Carolina. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Wilson: Bill to repeal chapter 117, laws of 1874-'75. Referred to the Committee on Propositions and Grievances.

By Mr. Stewart: S. B. 330, bill to abrogate certain sections of article 7 of the Constitution, and to substitute others in their places. Referred to the Committee on County Government, and ordered to be printed.

By Mr. Troy: S. B. 331, bill to amend Battle's Revisal, concerning the insane asylum. Referred to Committee on Insane Asylum.

By Mr. Crawford: S. B. 332, bill to prevent the destruction of quails or partridges. Referred to Committee on Propositions and Grievances;

S. R. 333, resolution of instruction to the Committee on Propositions and Grievances, upon the subject of sheep husbandry. Placed upon the Calendar.

By Mr. Sandifer: S. B. 334, bill to define punishment. Referred to Committee on Judiciary.

By Mr. Folk: S. R. 338, resolution to regulate the mode of presenting petitions to the Senate. Placed upon the Calendar.

By Mr. Robinson : S. B. 339, bill for the relief of the Hon. R. H. Cannon. Referred to Committee on Claims.

By Mr. Short : S. R. 340, resolution relating to the message and inaugural address of Governor Z. B. Vance. Placed on the Calendar.

Mr. Robinson arose to a question of personal privilege upon a calumny circulated by one Josiah Turner against himself, R. F. Armfield and C. H. Brogden, relative to the purchase of the Western North Carolina Railroad, and moved that the Senate appoint a committee to investigate said purchase.

The Senate unanimously refused to adopt the motion of Mr. Robinson, for the reason that the charges were without foundation.

Message from the House of Representatives—

H. B. 249, S. B. 335, bill to authorize the several county authorities to farm out convicts. Referred to the Committee on Penal Institutions.

H. R. 93, S. R. 336, resolution appointing a joint committee on public charities. Referred to the Committee on Penal Institutions.

H. R. 95, S. R. 337, resolution authorizing the governor to employ clerical assistance. Referred to the Committee on Finance.

At 12 M., S. B. 164, bill to regulate the rate of interest and to repeal chapter 84, public laws 1874-'75, was taken up on its second reading, it being the special order for that hour.

On motion of Mr. Standford, it was laid upon the table.

S. B. No. 1, bill to repeal chapter 84, public laws 1874-'75, and to regulate the rate of interest, was taken up on second reading. The amendments reported by the Committee on Banks and Currency were adopted.

Mr. Dortch offered a substitute for the bill.

Mr. Williams moved to amend the substitute, "strike out the third section," which was adopted.



The substitute then failed to pass.

Mr. Robins moved to amend ; add at the end of the third section, "and in case a greater rate of interest has been paid, the person by whom it has been paid, or his legal representatives, may recover back in an action in the nature of an action of debt twice the amount of interest paid: *Provided*, said actions shall be commenced within two years from the time the usurious transaction occurred," upon which,

Mr. Dortch called the ayes and nays, which was sustained.

Pending the call of the ayes and nays,

Mr. Scales moved to postpone the bill until next Wednesday at eleven o'clock.

Mr. Cunningham demanded the previous question upon the adoption of the amendment offered by Mr. Robins, which was sustained, and the amendment was adopted, ayes 20, nays 15, as follows :

*Affirmative*—Messrs. Albright, Boddie, Crawford, Cunningham, Dortch, Finger, Graham, Johnston, Latham, Mabson, Nicholson, Robins, Robinson, Roberts, Sandifer, Standford, Thorne, Troy, Williams and York—20.

*Negative*—Messrs. Askew, Bennett, Bingham, Caho, Holt, Hughes, Justice, Moore of Mecklenburg, Scales, Stickney, Stewart, Short, Waddell, Wilson and Wynne—15.

The question recurring upon its passage its second reading,

Mr. Dortch called for the ayes and nays, which being sustained, the bill passed its second reading, ayes 29, nays 8, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Finger, Graham, Holt, Hughes, Justice, Latham, Mabson, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Wilson and York—29.

*Negative*—Messrs. Crawford, Dortch, Ferguson, Johnston, Stanford, Waddell, Williams and Wynne—8.

Mr. Latham moved to suspend the rules and put the bill on its third reading.

Mr. Graham moved to adjourn, upon which

Mr. Latham called for the ayes and nays, which was sustained, and the Senate refused to adjourn, ayes 15, nays 21, as follows :

*Affirmative*—Messrs. Bennett, Caho, Crawford, Dortch, Ferguson, Finger, Graham, Holt, Hughes, Mebane of Bertie, Sandifer, Scales, Short, Thorne and Wynne—15.

*Negative*—Messrs. Albright, Askew, Bingham, Boddie, Cunningham, Johnston, Justice, Latham, Mabson, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Stanford, Stickney, Stewart, Waddell, Williams, Wilson and York—21.

The question recurred upon the motion to suspend the rules, to which Mr. Dortch objected.

Upon division, the rules were suspended, ayes 25, nays 10, and the bill put upon its third reading.

Mr. Graham moved to amend :

Insert after word “section,” in line three, section three, the words, “when knowingly done.”

Which was adopted.

Mr. Sandifer moved to amend :

Strike out the word “forfeitures,” in line three of the preamble, and insert the word “penalties.”

Adopted.

Mr. Crawford moved to amend :

“Strike out the preamble.”

Lost.



Mr. Dortch moved to adjourn, upon which Mr. Latham demanded the ayes and naves, which were ordered, and the Senate refused to adjourn, ayes 10, naves 27, as follows :

*Affirmative*—Messrs. Bennett, Caho, Crawford, Dortch, Ferguson, Hughes, Mebane of Bertie, Sandifer, Scales and Wynne—10.

*Negative*—Messrs. Albright, Askew, Bingham, Boddie, Cunningham, Finger, Graham, Holt, Johnston, Justice, Latham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—27.

Mr. Crawford moved to postpone the bill till Tuesday next.

Mr. Latham demanded the previous question upon the passage of the bill, which was sustained, and the bill passed its third reading, ayes 28, naves 8, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Finger, Graham, Holt, Hughes, Justice, Latham, Liles, Mabson, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Thorne, Troy, Wilson and York—28.

*Negative*—Messrs. Crawford, Dortch, Ferguson, Johnston, Stanford, Waddell, Williams and Wynne—8.

Mr. Thorne stated that he was requested to announce Mr. Dunn was detained from his seat on account of severe indisposition.

Message from the House of Representatives, asking the recall of H. B. 213, bill to require the Secretary of State to perfect grants of land in certain counties, and to require the Register of Deeds to do so in certain cases ; which was granted.

Leave of absence was granted to Mr. Dockery for ten days ; from and after to-morrow ;

To Mr. Green until Tuesday next ;

To Mr. Heilig until Wednesday next ; and

To Robert M. Furman, Secretary of the Senate, until Monday evening.

On motion of Mr. Liles, the Senate adjourned.

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### THIRTY-NINTH DAY.

SENATE CHAMBER, Jan. 20th, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the chair.

The Journal of yesterday was read and approved.

#### PETITIONS.

By Mr. Sandifer: Petition from the citizens of Pender county asking to have a bill passed prohibiting the sale of liquor within two miles of Moore's Creek Presbyterian Church. Referred to Committee on Propositions and Grievances.

By Mr. Robins: Petition from the citizens of Guilford and Randolph counties, asking to have a bill passed prohibiting the sale of liquor within three and one-half miles of Springfield Church. Referred to Committee on Propositions and Grievances.

Reports from standing committees were submitted as follows:

From Committee on Corporations,

By Mr. Nicholson: H. B. 230, S. B. 308, bill to amend chapter 131, laws 1874-'75, relative to the charter of Kingston, recommending it do pass.

By Mr. Sandifer: S. B. 324, bill to incorporate the town



of Denver, in Lincoln county, recommending an amendment, and as amended it do pass

From Committee on Propositions and Grievances,

By Mr. Dortch: S. B. 229, bill to prohibit the sale of spirituous liquors near the towns of Salem and Winston, in Forsythe county, recommending an amendment, and as amended that it do pass.

From Committee on Judiciary,

By Mr. Stewart: H. B. 256, S. B. 284, bill to prevent the destruction of legal notices, recommending a substitute, and that the substitute do pass.

From Committee on Finance,

By Mr. Graham: H. B. 206, S. B. 274, bill authorizing M. L. Airey, tax-collector of the town of Salisbury, to collect arrears of taxes for the years 1874-'75, recommending that it do pass.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Robins: S. B. 341, bill to prohibit the sale of spirituous liquors within three and one-half miles of Springfield Church, in Guilford county. Referred to the Committee on Propositions and Grievances.

By Mr. Scales: S. B. 343, bill to make fraudulent appropriation of property by bailees embezzlement. Referred to the Committee on Judiciary.

By Mr. Moore of Mecklenburg: S. B. 343, bill authorizing the justices of the peace to have official seals, and to issue process under the same in certain cases. Referred to Committee on Judiciary.

Message from the House of Representatives, returning a correct engrossment of H. B. 213, S. B. 276, bill to require the Secretary of State to perfect grants for land in certain counties, which was referred to the Committee on Judiciary.

## CALENDAR.

S. B. 318, bill to allow Milton township, Caswell county, to subscribe fifteen thousand dollars in payment of stock in the Milton and Sutherlin Railroad, on second reading, and passed, ayes 34, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Ferguson, Folk, Graham, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—34.

*Negative*—None.

On motion of Mr. Finger, the rules were suspended and H. B. 188, S. B. 237, bill to incorporate the town of Conova, in the county of Catawba, was put upon its second reading.

The amendment offered by the Committee—

“Striking out the words in section one ‘one hundred and eleventh chapter of Revised Code and’”—

Was adopted.

Mr. Finger offered an amendment to

“Strike out the words ‘Revised Code’ at end of section three, and insert in lieu ‘Battle’s Revisal,’ ”

Which was adopted.

Mr. Finger also offered an amendment—

“Strike out the word ‘Conova,’ and insert the word ‘Conover,’ ”

Which was adopted.

The bill then passed its second reading.



The rules were suspended, and the bill read the third time and passed, ayes 36, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Holt, Johnson, Justice, Latham, Liles, Mabson, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Seales, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson and York—36.

*Negative*—None.

Leave of absence was granted to Mr. Mebane of Rockingham, for five days, also to Mr. Wynne for three days.

On motion of Mr. Graham, the rules were suspended, and H. B. 206, S. B. 274, bill authorizing M. L. Airey, tax-collector of the town of Salisbury, to collect arrears of taxes for the years 1874-'75, on second reading.

The bill was read second time and passed, and

On motion of Mr. Graham, the Rules were suspended, and the bill read third time and passed, ayes 36, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Holt, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Seales, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson and York—36.

*Negative*—None.

On motion of Mr. York, the rules were suspended and

S. B. 313, bill to legalize the Reddies River township in Wilkes county, was put upon its second reading and passed.

The bill then passed its third reading, ayes 36, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Holt, Johnston, Latham, Liles,

Mabson, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Thorne, Troy, Waddell, Williams, Wilson and York—36.

*Negative*—None

On motion of Mr. Troy, the rules were suspended, and

S. B. 285, bill to provide a special commission for Craven county, was taken up and read second time.

Mr. York offered an amendment :

*Provided*, that the county of Craven pay the expenses of the commission.

Mr. Sandifer offered an amendment, add the words "said commission shall be paid by Craven county, a sum not exceeding \$25 each, and submit their report of the same to the General Assembly."

Mr. Caho offered an amendment by inserting the name of James C. Harrison in lieu of George Green.

Mr. Troy offered an amendment, "and said commission are authorized to enquire into the misappropriation of said judge of probate of certain bonds belonging to any insane person, and others belonging to the Female Benevolent Society, placed in the custody of said officer by order of the superior courts," and by adding a new section :

"SEC. —. And said commissioners are authorized to investigate into a matter of indebtedness due to the state upon the bond of A. R. Dennison, former sheriff of said county, so as to ascertain whether said bond has ever been put in suit or has been collected, and if paid, where the money is. Also shall examine the account of D. M. Kilburn, treasurer of said county, to ascertain amount of school or other county funds now in his possession, or which he has failed to account for to the respective departments."



On motion of Mr. Latham, the bill was referred to the Committee on the Judiciary.

On motion of Mr. Moore of Mecklenburg, the rules were suspended, and

H. B. 224, S. B. 306, bill to amend the charter of Davidson College, was read second time and passed.

The bill was then read its third time and passed, ayes 36, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—36.

*Negative*—None.

From Committee on Engrossed Bills,

By Mr. Waddell: As properly engrossed, S. B. No. 1, bill to repeal chapter 84, Public Laws of 1874-'75, and to regulate the rate of interest.

H. B. 177, S. B. 268, bill to punish the felling of timber in the Tennessee River, in Macon county, on second reading.

The bill passed its second reading, and on motion of Mr. Robinson, was laid on the table.

On motion of Mr. Short, a bill to amend charter of Great Falls Manufacturing Company, was taken from the table and referred to Committee on Corporations.

On motion of Mr. Troy, the rules were suspended, and S. B. 292, bill to prevent the sale of malt or spirituous liquors on the Sabbath day was read second time.

The amendments offered by the Committee on Propositions and Grievances—

“Strike out all of section 2 after the words ‘one month,’ and that section 3 be amended by striking out the words

‘common’ in line 5, and inserting ‘the’ in lieu thereof”—

Was adopted.

Mr. Wilson offered an amendment :

Change “Sabbath” to “Sunday” wherever it occurs.

Adopted.

Mr. York offered an amendment :

Strike out “March” and insert “April,”

Which was adopted.

Mr. Stewart moved to refer to the Judiciary Committee, which was withdrawn.

Mr. Troy called for the previous question, which was ordered.

Mr. Stewart moved to reconsider the vote by which the previous question was ordered.

Lost.

The bill then passed its second reading.

The bill was then read its third time.

Mr. Latham offered an amendment :

Strike out all of section two.

Which was adopted.

Mr. York offered an amendment :

Strike out “April” and insert “July.”

Mr. Troy asked for a division of the question, and the Senate refused to strike out.

The bill then passed its third reading, ayes 24, naves 10, as follows :

*Affirmative*—Messrs. Bennett, Bingham, Boddie, Bryant,



Caho, Cunningham, Dortch, Ferguson, Finger, Holt, Latham, Liles, Mebane of Bertie, Nicholson, Robinson, Roberts, Sandifer, Stanford, Stickney, Short, Thorne, Troy, Williams, and Wilson—23.

*Negative*—Messrs. Albright, Askew, Crawford, Graham, Johnston, Moore of Mecklenburg, Robins, Stewart, Waddell, and York—10.

Message from the House of Representatives, transmitting H. R. 79, S. R. 344, resolution of instruction to the Public Treasurer. Referred to the Finance Committee.

H. B. 263, S. B. 345, bill for the removal of road exemptions in the county of Clay. Referred to Committee on Judiciary.

H. B. 250, S. B. 346, bill to submit the question of sale of liquor to the qualified voters of Carthage township, in Moore county. Placed on the Calendar.

H. B. 313, S. B. 347, bill to incorporate the town of Grifinsville, in Union county. Referred to the Committee on Corporations.

Message from His Excellency the Governor, nominating the board of directors of the Penitentiary.

On motion of Mr. Askew, the rules were suspended, and S. B. 82, bill for the reclamation of certain swamp lands, was taken up and put upon its third reading.

On motion of Mr. Nicholson, the bill was made a special order for Monday at 12 o'clock.

On motion of Mr. Nicholson, the Senate took a recess, in order to go into executive session.

The Senate was called to order by the Lieut. Governor, and, on motion of Mr. Johnston, adjourned.

## FORTIETH DAY.

SENATE CHAMBER, Jan. 22d, 1877.

Senate met pursuant to adjournment.

Lieut. Gov. Jarvis in the chair.

The Journal of yesterday was read and approved.

Reports of standing committees were submitted as follows :

From committee on Judiciary,

By Mr. Stewart: S. B. 212, bill to amend chapter 115, of Battle's Revisal, recommending a substitute, and that the substitute do pass.

From the committee on Corporations,

By Mr. Scales: S. B. 257, bill to incorporate the Biddle University, recommending an amendment, and as amended that the bill do pass.

From the committee on Enrolled Bills,

By Mr. Moore of Mecklenburg, as correctly enrolled: H. R. 69, S. R. 208, resolution in favor of "News Publishing Company ;"

H. R. 86, S. R. 304, resolution proposing to raise a joint select committee on dividing the State into nine judicial districts ;

S. B. 196, H. B. 229, an Act to repeal chapter 81, Private Laws, 1872-'73, and to re-enact section 2, chapter 46, Private Laws, 1871-'72, entitled an Act to charter the town of Dallas ;

H. B. 100, S. B. 277, an Act to create three new townships in Lenoir county, and for other purposes ;

S. B. 59, H. B. 152, an Act to make the embezzlement of trust funds by State officers a felony.

The following named resolutions and bills were introduced,



read and passed first time, and were referred, or otherwise disposed of, as follows:

By Mr. Finger: S. B. 348, bill to revise and consolidate the public school law, referred to the Committee on Education.

By Mr. Thorne: S. B. 349, bill to remove the political disabilities of William W. Holden, referred to Committee on Judiciary.

By Mr. Justice: S. B. 350, bill to farm out convicts to labor on railroad leading to Rutherfordton in Rutherford county, referred to Committee on Corporations.

#### THE CALENDAR.

S. B. 318, bill to allow Milton township, in the county of Caswell, to subscribe the sum of fifteen thousand dollars in payment of stock in the Milton and Sutherlin Railroad, on third reading.

Mr. Cunningham offered an amendment, striking out the proviso in section 3, line 12 to end of said section, and inserting:

“Provided, however, that one-third of said bonds shall be issued when the road is graded, an additional one-third when the pillars of the bridge over the Dan River are built, and the remaining one-third shall be issued on the completion of the entire road.”

Which was adopted.

The bill then passed its third reading as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Justice, Latham, Mabson, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Williams.—31.

*Negative*—0.

Leave of absence was granted to Mr. Moore of New Hanover, on account of sickness, indefinitely.

By permission, Mr. Folk introduced

S. B. 351, bill to allot and distribute the judicial powers of the State. Placed on the calendar.

On motion of Mr. Folk, the rules were suspended and the bill was read the second time and passed.

The bill was then read the third time.

Mr. Sandifer offered an amendment :

Also add the words " of article 4 " after the words " section 17 " in section 1.

Which was adopted.

Mr. Robins offered an amendment :

Strike out the words " one month " in line 12, section 1, and insert in lieu thereof, " thirty days."

Which was adopted.

The bill then passed its third reading, ayes 33, nays 1, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Cahoon, Coke, Crawford, Cunningham, Ferguson, Finger, Folk, Graham, Johnston, Justice, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Williams, York—33.

*Negative*—Mr. Mabson—1.

Mr. Waddell, from the committee on Engrossed Bills, reported as correctly engrossed,

S. B. 292, bill to prevent the sale of malt or spirituous liquors on Sunday ;

S. B. 313, bill to legalize the Reddie's River Township, in Wilkes county ;



S. B. 237, H. B. 188, Senate amendment to bill to incorporate the town of Conova, in Catawba county;

S. B. 318, bill to allow Milton Township to subscribe fifteen thousand dollars to the Milton and Sutherlin Narrow Gauge Railroad Company.

Mr. Finger, from committee on Education, reported

S. B. 250, bill to establish an Industrial and Educational College for the colored youths of both sexes, recommending that it do not pass. ✓

At 11½ o'clock, S. B. 82, bill for the improvement and reclamation of certain swamp lands, it being the special order for that hour, was taken up on third reading and lost; yeas 15, nays 20, as follows:

*Affirmative*—Messrs. Askew, Caho, Crawford, Cunningham, Ferguson, Finger, Graham, Mabson, Mebane of Bertie, Stanford, Stickney, Stewart, Short, Thorne, Williams.—15.

*Negative*—Messrs. Albright, Bennett, Bingham, Boddie, Coke, Folk, Hughes, Johnston, Justice, Latham, Liles, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Troy, York.—20.

Message from the House of Representatives transmitting:

H. B. 335, S. B. 352, bill to require Clerks and Registers of Deeds to provide and keep indexes to deeds, etc., in their offices; referred to the Committee on Judiciary.

H. B. 336, S. B. 353, bill to incorporate the town of Larrinburg, in Richmond county; referred to the Committee on Corporations.

H. R. 80, S. R. 354, resolution in favor of Thomas J. Austin; referred to the Committee on Claims.

Engrossed amendments to H. B. 279, S. B. 16, bill to incorporate Laborers' Union of Wilmington; placed on calendar.

H. B. 322, S. B. 355, bill to lay off a public road in the counties of Davidson and Davie; referred to Committee on Propositions and Grievances.

On motion of Mr. Moore of Mecklenburg, the rules were

suspended and S. B. 257, bill to incorporate Biddle University, was read the second time.

The amendment proposed by the Committee on Corporations:

At the end of section VII add the following words: "*Provided*, That in conferring such marks of literary distinction, they shall be confined to regular students of the said University, and to such degrees as are usually conferred on students at the time of graduating," and section XI strike out the words "five hundred" and insert the word "fifty," were adopted.

The bill then passed its second reading.

The bill was then read its third time and passed yeas 33, nays 0, as follows:

*Affirmative*—Messrs. Albright, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Roberts, Robinson, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, York—23.

*Negative*—0.

On motion of Mr. Short, the rules were suspended and S. R. 340, resolution relative to message and address of Governor Vance, was read second time and passed.

The resolution was then read third time and passed, yeas 31, nays 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Hughes, Johnston, Liles, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, York—31.

*Negative*—Messrs. Latham, Robins—2.

Mr. Liles moved to reconsider the vote by which S. B. 82, bill for the reclamation of certain swamp lands, failed to pass; and



Mr. Standford moved to make the motion to reconsider a special order for Thursday next at 12 o'clock, which was adopted.

By permission, Mr. Graham introduced S. B. 366, bill to provide for arranging disordered records of courts. Referred to committee on Judiciary.

By permission, Mr. Dortch introduced S. B. 367, bill concerning the town of Goldsboro. Referred to the committee on Corporations.

H. B. 225, S. B. 303, bill to incorporate the town of Holly Springs, in the county of Wake, on second reading. The bill passed its second reading.

On motion of Mr. Thorne, the rules were suspended and S. B. 250, bill to establish an Industrial and Educational College for the colored youths of both sexes, was taken up and made the special order for 12 o'clock on Friday, the 2d of February.

Mr. Troy, from the Committee on Penal Institutions, reported

H. R. 93, S. R. 336, resolution appointing a joint committee on public charities, recommending an amendment, and, as amended, it do pass.

On motion of Mr. Troy, the rules were suspended and

H. R. 93, S. R. 336, resolution appointing a joint committee on public charities, was read second time.

The amendment offered by the Committee on Penal Institutions, to strike out all after the word "whom" in line 8, and insert the following: "Shall be referred all communications from the said Board of Public Charities, with authority to report by bill or otherwise upon all such communications," was adopted.

The resolution then passed its second reading.

By permission, Mr Stewart introduced

S. B. 368, bill to regulate proceedings against owners of mill dams for injuries done by them; referred to the Committee on the Judiciary.

Mr. Latham introduced

S. R. 369, resolution on adjourning; placed on the calendar.

Message from the House of Representatives notifying the Senate that the House has appointed as the House branch of the Joint Committee on Public Charities Messrs. Fennell Simpson, Geoffroy, Henderson and Duggan, and on the House branch of the Joint Committee on redistricting the State into nine Judicial Districts, Messrs. Vaughan, Carter of Buncombe, Henderson, Roberts and Johnston of Washington.

Mr. Moore of Mecklenburg asked leave to amend a bill passed by both Houses of the General Assembly, in which the word "Senate" was left out. Order was made.

On motion of Mr. Bingham, the Senate adjourned.

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## FORTY-FIRST DAY.

SENATE CHAMBER, Jan. 23d, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

Prayer by the Rev. Dr. Vaughan, of the city.

The Journal of yesterday was read.

## PETITIONS AND MEMORIALS.

By Mr. Bennett: Petition from the citizens of Smithville township, in Brunswick county, asking for the passage of a law to prohibit the sale of spirituous liquors in said township; referred to the Committee on Propositions and Grievances.



Petition from the colored citizens of Smithville, asking for the passage of a law to prohibit the sale of spirituous liquors within five miles of said town; referred to the Committee on Propositions and Grievances.

Reports from Standing Committees were submitted, as follows:

From Committee on Judiciary,

By Mr. Graham: S. B. 106, bill to amend section 237, chapter 17, Battle's Revisal, recommending the bill do not pass;

S. B. 299, bill to amend the law of divorce, in sections 4 and 5, chapter 37, Battle's Revisal, recommending it do not pass;

By Mr. Robins: S. B. 280, bill to amend chapter 104 of Battle's Revisal, in relation to the employment and payment of laborers; making and repairing public roads; recommending it do not pass;

S. B. 311, bill in relation to the several penal and charitable institutions of this State, recommending its reference to the committee on Penal Institutions;

By Mr. Coke: S. B. 317, bill to amend chapter 17, subchapter 3, Battle's Revisal, recommending it do pass.

By Mr. Bingham: H. B. 204, S. B. 283, bill in relation to larceny of money, recommending it do pass.

By Mr. Ferguson: H. B. 263, S. B. 345, bill for the removal of road exemptions in the county of Clay, recommending it do pass;

H. B. 213, S. B. 276, bill to require the Secretary of State to perfect grants for land in certain counties, and provide that Registers of Deeds may do so in certain cases; recommending that it do pass.

By Mr. Stewart: S. B. 272, bill to amend section 9, chapter 29, Battle's Revisal, recommending it do not pass.

By Mr. Scales: S. B. 312, bill relative to journeymen mechanics, recommending it do not pass.

From committee on Engrossed Bills,

By Mr. Waddell, as properly engrossed: S. R. 340, resolution relative to the inaugural address and message of Governor Vance;

Senate amendments to H. R. 93, S. R. 336, resolution appointing a joint committee on public charities.

From the committee on Enrolled Bills,

By Mr. Moore of Mecklenburg, as properly enrolled: S. B. 188, H. B. 269, bill to charter the Rutherford and Spartanburg Railroad;

H. B. 206, S. B. 274, bill authorizing M. L. Airy, tax collector of the town of Salisbury, to collect arrears of taxes for the years 1874-'75;

S. B. 170, H. B. 242, bill to incorporate the Independent Order No. 2, Grand Lodge of the Order of Good Samaritans and Daughters of Samaria in America, of the State of North Carolina;

S. R. 264, H. R. 83, resolution in relation to the lease of the North Carolina Railroad;

S. B. 131, H. B. 241, bill to incorporate the town of Ringwood, in the county of Halifax.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Dortch: S. B. 370, bill in relation to the superior court of Wayne county. Placed upon the Calendar.

By Mr. Liles: S. R. 371, resolution to repeal a resolution in regard to M. S. Littlefield. Placed upon the Calendar.

By Mr. Short: S. B. 372, bill to amend chapter 30, Act of 1873-'74, entitled an Act in relation to Foreign Insurance Companies. Referred to committee on Insurance.

By Mr. Folk: S. B. 373, bill to punish embezzlement by persons in fiduciary positions. Referred to committee on Judiciary.

S. B. 374, bill to punish injuries to railroads and canals. Referred to the committee on Judiciary.

By Mr. Thorne: S. B. 375, bill to protect the people of



the counties, cities and municipal towns, against dishonest officials. Referred to the committee on County Government.

By Mr. Folk: S. B. 376, bill to enable fathers to emancipate their minor children. Referred to committee on Judiciary.

S. B. 377, bill for the more effectual protection of religious assemblies. Referred to the committee on Judiciary.

On motion of Mr. Troy, the message of his Excellency the Governor, recently communicated to the General Assembly, was taken up, and the several subjects treated by it were referred to the appropriate committees respectively.

By permission, Mr. Troy introduced

S. R. 378, resolution raising a joint committee to whom shall be referred certain portions of the Governor's message which was adopted.

Message was received from the House of Representatives transmitting, without engrossment,

H. B. 333, S. B. 379, bill to amend an Act entitled an Act to regulate the times of holding the terms of the Superior Courts of Cumberland county; referred to the Committee on Judiciary.

H. R. 98, S. R. 380, resolution in relation to the jurisdiction of Justices of the Peace; placed upon the calendar.

Also H. B. 274, S. B. 281, bill to amend chapter 72 Laws of 1874-'75; referred to Committee on Judiciary.

H. B. 282, S. B. 382, Bill to change the days of sale; referred to the Committee on Judiciary.

H. B. 304, S. B. 383, bill concerning the Mutual Insurance Company of Wilmington; referred to the Committee on Insurance.

H. B. 248, S. B. 384, bill to prevent and punish the sale of spirituous liquors within two miles of the Court House in the town of Webster; referred to the Committee on Propositions and Grievances.

H. B. 251, S. B. 385, bill to levy a special tax for the county of Beaufort; referred to the Committee on Finance.

House amendments to S. B. 242, H. B. 270, bill to incorporate the town of Gastonia, in the county of Gaston.

On motion of Mr. Sandifer, the amendments were concurred in and the bill was ordered to be enrolled for ratification.

Leave of absence was granted Mr. Mabson until Thursday next.

Mr. Scales stated that Mr. Holt was absent from his seat yesterday and to-day on account of sickness.

Message from the House of Representatives announcing the concurrence of that body in Senate amendments to

H. B. 134, S. B. 179, bill to allow mechanics sixty days in which to file their liens;

H. B. 157, S. B. 204, bill to amend chapter 136 Private Laws of 1873-'74.

H. B. 196, bill to amend section 52, chapter 93, Battle's Revisal.

H. B. 160, bill to incorporate the Bellyne Cemetery Company.

H. R. 93, resolution raising a Joint Committee on Public Charities, and had ordered the same enrolled for ratification.

Mr. Folk moved to reconsider the vote by which S. B. 351, bill to allot and distribute the judicial powers of the State, passed its third reading on yesterday.

The motion prevailed.

On motion of Mr. Folk, the bill was referred to the Committee on the Judiciary.

Following named bills and resolutions were acted upon as follows:

On motion of Mr. Dortch, the rules were suspended and

S. B. 370, bill in relation to the Superior Court of Wayne county, was put upon its second reading and passed.

Bill then passed its third reading, ayes 36, nays 0, as follows:



*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, York.—36.

*Negative*—0.

And was transmitted to the House of Representatives without engrossment.

On motion of Mr. Liles, the rules were suspended and S. R. 371, resolution to repeal a resolution in regard to M. S. Littlefield, was put upon its second reading and passed.

The resolution then passed its third reading, yeas 30, nays 5, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Johnston, Justice, Latham, Liles, Moore of Mecklenburg, Nicholson, Robinson, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, York—30.

*Negative*—Messrs. Hughes, Mabson, Roberts, Sandifer, Scales—5.

H. B. 225, S. B. 303, bill to incorporate the town of Holly Springs, in the county of Wake, on third reading, and passed, yeas 37, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Wilson, York—37.

*Negative*—0.

At 12 M., S. B. 67, bill to provide for the speedy completion of the Western North Carolina Railroad, and to amend

an Act entitled an Act in relation to the Western North Carolina Railroad, ratified 13th day of March, A. D. 1875, came up on second reading, it being the special order for that hour.

Mr. Dortch moved to consider the bill by sections, in connection with the amendments proposed by the Committee on Internal Improvements, which was adopted.

The amendments reported by the Committee on Internal Improvements, to sections two, three, four, five and nine, were adopted.

The following amendments to section eight, reported by the Committee, were adopted:

In line one, after the word "where," insert "the grading, culverts, trestles, bridges and road bed of;" and in line three, after "emp'oyed," insert "except such as may be necessary to iron the unfinished part of said road so graded."

The following amendment to section eight was proposed by the Committee:

In line four strike out after "of," the words "equal numbers as near as practicable," and insert "such numbers as the Board of Directors may determine."

Mr. Robinson asked for a division of the question, and upon the question to strike out, called for the yeas and nays, which were ordered, and the Senate refused to strike out, yeas 16, nays 19, as follows:

*Affirmative*—Messrs. Albright, Askew, Cunningham, Finger, Graham, Justice, Latham, Moore of Mecklenburg, Nicholson, Standford, Stickney, Stewart, Short, Troy, Williams, York.—16.

*Negative*—Messrs. Bennett, Bingham, Boddie, Caho, Coke, Crawford, Ferguson, Folk, Hughes, Johnston, Liles, Robins,



Robinson, Roberts, Sandifer, Scales, Thorne, Waddell, Wilson.—19.

The substitute for section 6, as reported by the committee, was taken up.

Mr. York moved a division of the question, which was ordered.

The question recurred upon the proposition of the Committee to strike out section 6.

Pending consideration, Mr. Moore of New Hanover moved the Senate do adjourn.

Mr. Latham moved that the Senate adjourn till to-night at 7:30 o'clock.

The motion of Mr. Moore of New Hanover was adopted.

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## FORTY-SECOND DAY.

SENATE CHAMBER, Jan. 24th, 1877.

The Senate met pursuant to adjournment.

Lieut. Gov. Jarvis in the chair.

The Journal of yesterday was read.

### PETITIONS AND MEMORIALS.

By Mr. Cunningham: Petitions from the citizens of the town of Warrenton. Placed upon the Calendar.

By Mr. Short: Petition from the citizens of North West Township, Brunswick county. Referred to committee on Propositions and Grievances.

By Mr. Caho: Petition from the citizens of Pamlico

county. Referred to the committee on Propositions and Grievances.

Reports from standing committees were submitted as follows:

From committee on Propositions and Grievances,

By Mr. Dortch: S. B. 323, bill for the protection of Benevolent Societies, recommending it do not pass;

S. B. 322, bill for the protection of king snakes, recommending it do not pass;

S. B. 332, bill to prevent the destruction of quails or partridges, reporting an amendment, and as amended, recommending that it do pass;

S. B. 341, bill to prohibit the sale of spirituous liquors within three and one-half miles of Springfield Church, in the county of Guilford, recommending it do pass;

S. B. 327, bill to regulate the sale of live stock in the city of Wilmington, recommending the bill do pass;

S. B. 235, bill to authorize the commissioners of Pasquotank county to levy a special tax, recommending it do pass.

By Mr. Albright: S. B. 329, bill to repeal chapter 117, Laws of 1874-'75, recommending it do pass;

S. B. 293, bill regarding the fishermen of the State, recommending it do pass;

S. B. 325, bill to protect the fishing interests in Contentnea and Black Creeks, reporting an amendment, and as amended recommending it do pass.

From the Committee on Judiciary,

By Mr. Stewart: H. B. 207, S. B. 309, bill to amend Battle's Revisal, chapter 104, section 26, reporting a substitute, and recommending the substitute do pass.

From Committee on Corporations,

By Mr. Scales: House substitute for S. B. 176, H. B. 114, bill to incorporate the Town of Laurinburg, in the county of Richmond, recommending it do pass.

By Mr. Sandifer: H. B. 318, S. B. 347, bill to incorporate



the town of Griffinsville, in Union county, reporting certain amendments, and as amended recommending it do pass.

By Mr. Nicholson: S. B. 367, bill concerning the town of Goldsboro, recommending it do pass.

By Mr. Crawford: S. B. 228, bill to amend and consolidate the charter of the Great Falls Manufacturing Company, located at Rockingham, in the county of Richmond, recommending it do pass.

From Committee on Insurance,

By Mr. Short: H. B. 304, S. B. 383, bill concerning the Mutual Insurance Company, of Wilmington, recommending it do pass.

From Committee on Finance,

By Mr. Graham: H. R. 79, S. R. 344, resolution directing the Public Treasurer to make a demand upon the Receiver for construction bondholders of the North Carolina Railroad, for interest on the construction bonds of said road, owned by the State, recommending it do pass.

S. B. 289, bill to authorize the commissioners of Bertie to levy a special tax, recommending it do not pass;

S. B. 251, bill to repeal section 82 of chapter 102, Battle's Revisal, without recommendation, and asking to be discharged from any further consideration of the same.

From the committee on Engrossed Bills,

By Mr. Waddell, as properly engrossed: S. B. 257, bill to incorporate Biddle University;

S. R. 271, resolution to repeal a resolution in regard to M. S. Littlefield.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of as follows:

By Mr. Standford: Bill to incorporate the Angola Canal and Road Company; referred to Committee on Corporations.

By Mr. Cunningham: S. B. 387, bill to authorize the town of Warrenton to subscribe to the stock of the Warrenton Railroad Company, and for other purposes; referred to the

## Committee on Internal Improvements

By Mr. Graham: S. B. 388, bill to amend chapter 72 Battle's Revisal; referred to the Committee on Judiciary.

S. B. 389, bill to refund to the Richmond and Danville Railroad Company certain taxes unlawfully imposed upon the real estate of the North Carolina Railroad Company, held for right of way, station places, of whatever kind, and workshop locations; referred to Committee on Judiciary.

By Mr. Finger: S. B. 390, bill to amend an Act entitled an Act to incorporate the town of Hickory, in the county of Catawba, ratified December 18th, 1873; referred to the Committee on Corporations.

By Mr. Stewart: S. B. 391, bill to define the powers and duties of Justices of the Peace in supervising the affairs of the county; referred to the Committee on County Government.

By Mr. Bennett: S. B. 392, bill to regulate the stamping of weights and measures; referred to the Committee on Propositions and Grievances.

By Mr. Short: S. B. 393, bill to change the dividing line between the counties of Brunswick and Columbus; referred with petition to Committee on Propositions and Grievances.

By Mr. Folk: S. R. 394, resolution in favor of the Texas and Pacific Railway; referred to the Committee on Internal Improvements.

By Mr. Dortch: S. B. 395, bill to restrict the powers of taxation by cities and towns; referred to the Committee on Judiciary.

By Mr. Moore of New Hanover: S. B. 396, bill to incorporate Industrial Lodge, No. 1, of Pender county, North Carolina; referred to Committee on Propositions and Grievances.

The unfinished business of yesterday, being Senate bill 67, bill to provide for the speedy completion of the Western North Carolina Railroad, and to amend an Act entitled an Act in relation to the Western North Carolina Railroad, ratified the 13th day of March, A. D. 1875, was taken up on second reading.



On motion of Mr. Crawford, the unfinished business was postponed for five minutes.

Mr. Crawford moved a suspension of the rules, and take up S. B. 332, bill to prevent the destruction of quails or partridges on second reading; prevailed, and the amendments reported by the committee on Corporations were adopted.

The question recurred upon the passage of the bill on its second reading.

Mr. Latham moved to amend:

“Strike out the counties of Martin, Washington, Tyrrell, Dare, Beaufort, Hyde and Pamlico,” which was accepted.

Mr. York moved to amend:

“*Provided*, the provisions of this bill shall not apply to the counties of Wilkes, Iredell and Alexander.”

On motion of Mr. York, the bill was laid on the table.

By consent, Mr. Johnston submitted a report from the committee on Internal Improvements upon S. B. 387, bill to authorize the town of Warrenton to subscribe to the capital stock of the Warrenton Railroad Company, and for other purposes, recommending it do pass.

The unfinished business being S. B. 67, bill to provide for the speedy completion of the Western North Carolina Railroad, &c., was taken up on its second reading.

The question recurred upon the proposition to strike out section six, of the original bill, which prevailed.

The question then was upon the adoption of the amendments reported by the committee, as section six.

Mr. York moved to amend:

Strike out the words “one hundred and forty thousand dollars,” and insert “one dollar;” and strike out all after

the words "fiscal year," in line three, page ten: which was lost.

Mr. Robinson offered the following substitute as section six, for the amendment reported by the Committee:

"Section 6. The Governor may contract for and purchase in his discretion such iron and steel rails and other material as he may from time to time find expedient, to lay the track of said railroad from its terminus, near Old Fort, as the same may be placed in readiness, as the Directors of the company may in their discretion require; and to pay for such purchases and expenses (including the iron already furnished by the citizens of Wilmington,) he is hereby authorized to draw upon the Treasurer his warrants for such sums as may be needful, which the Treasurer is hereby authorized and directed to pay out of any moneys in the Treasury not otherwise appropriated."

Mr. York moved to amend the substitute:

*"Provided, The amount does not exceed fifty thousand dollars per annum."*

Mr. Troy moved to amend the amendment:

*"Strike out fifty and insert seventy."*

Mr. Bingham moved to refer the bill to the Committee on Judiciary. Lost.

Mr. York called for the yeas and nays upon the amendment offered by Mr. Troy, which call was sustained, yeas 19, nays 19—the Lieut. Governor voting in the affirmative, as follows:

*Affirmative*—Messrs. Crawford, Dortch, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robinson, Sandi-



fer, Stickney, Short, Thorne, Troy, Williams, Wynne—19.

*Negative*—Messrs, Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Justice, Latham, Nicholson, Robins, Roberts, Scales, Standford, Stewart, Waddell, Wilson, York—19.

The amendment of Mr. York, as amended, was adopted.

The substitute offered by Mr. Robinson, as amended, was adopted.

Question recurred upon the insertion of the substitute of Mr. Robinson, as section 6 of bill, upon which

Mr. Robins called the yeas and nays, which being sustained, the substitute was adopted, yeas 25, nays 13, as follows:

*Affirmative*—Messrs. Askew, Bennett, Boddie, Caho, Coke, Crawford, Dortch, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Liles, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robinson, Sandifer, Standford, Stickney, Short, Thorne, Troy, Williams—25.

*Negative*—Messrs. Albright, Cunningham, Justice, Latham, Nicholson, Robins, Roberts, Scales, Stewart, Waddell, Wilson, Wynne, York—13.

Section ten, as reported by the Committee, was adopted.

Question recurring upon the passage of the bill its second reading,

Mr. Graham moved to amend section seven; add the following:

*“Provided, No sum shall be expended for the purchase of iron, nor any further work done upon this railroad by convict labor, after the first day of May, 1877, until this Act shall be accepted by the stockholders of said Railroad Company as a part of its charter,”*

which was adopted.

Mr. Troy moved to amend section 7:

Strike out all down to and including the word "Company," in line ten, and insert: "The Superintendent of the State Penitentiary shall be required to furnish all supplies, such as guarding, feeding, clothing and doctors' bills, which, together with the hire of said convicts, at a price not less than fifty dollars each per annum, with the maintenance of and hire of all such convicts as have heretofore been employed on said road, together with all sums of money heretofore paid, or may hereafter be paid, for the purchase of iron or any other material whatever, used in connection with the said road, shall be charged against the said road by the Public Treasurer, in a book kept for that purpose, and all expenditures and appropriations thus made shall, in addition to the lien already created, constitute a lien upon the franchises and all other property of the said company whatsoever,"

which was adopted.

Mr. Troy moved to amend section four:

Add after the word "Constitution," in line five, the words "or laws of the State."

which was adopted.

Mr. Moore of Mecklenburg, offered the following substitute for section four:

"The Warden of the Penitentiary shall from time to time, as the Governor may direct, send to said Railroad Company, to labor on said road, all the convicts that the President of the company shall certify can be made available on said work. The Warden shall take from the said President a receipt for the said convicts, setting forth the name and term of service of each, and the date when the term of each began, and the convicts so placed under the charge of the company, shall be secured and cared for ac-



cording to law, and required to do reasonable service each day or night, when and where such labor may be required. Board of Directors of the Penitentiary shall have power to farm out such convicts as may not be needed on said Western North Carolina Railroad, except such as may be required by the constitution or laws to be retained in the Penitentiary, on such terms and in such manner as they may deem most advantageous to the interest of the State,"

which was lost.

Mr. Bingham moved to amend by adding after the word "Penitentiary," in line five, section four, the words "and such other convicts as have not been assigned to other roads by law."

Mr. Troy moved to amend the amendment, by inserting after the word "assigned," the words, "or may hereafter be assigned," which was accepted.

The amendment of Mr. Bingham as amended, was then adopted.

Mr. Sandifer moved to amend :

Add at the end of section 3, "*Provided* that nothing in this section shall be construed to authorize the purchase of railroad iron or rolling stock," which was lost.

Mr. Graham moved to amend section 4, by adding, "any Judge of the Superior Court may sentence and order any convict other than those prohibited by the Constitution or Public Law, directly to work upon said road; and report shall be made by the superintendent of all such convicts to the Warden of the Penitentiary."

To which Mr. Troy offered the following amendment :

"And he shall receipt for them to said Warden, as above prescribed in this section," which was accepted.

Mr. Folk moved to amend the amendment :

Insert after the word "order," the words, "at his discretion," which was adopted.

Mr. Graham's amendment, as amended, was then adopted.

Mr. Moore of Mecklenburg, moved to amend section 2:

Add at the end of section 2, the following: "And no Director shall be eligible to any position or office in the Company except the President," which was adopted.

Question recurring upon the passage of the bill, its second reading,

On motion of Mr. Robinson, the yeas and nays were ordered, and the bill passed—yeas 25, nays 15, as follows :

*Affirmative*—Messrs. Askew, Bennett, Bingham, Cahoon, Crawford, Dortch, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Liles, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robinson, Sandifer, Stanford, Stickney, Stewart, Short, Thorne, Troy, Williams, —25.

*Negative*—Messrs. Albright, Boddie, Coke, Cunningham, Green, Justice, Latham, Nicholson, Robins, Roberts, Scales, Waddell, Wilson, Wynne, York—15.

On motion of Mr. Robinson, the rules were suspended, and the bill was put upon its third reading.

Mr. Robinson moved the bill be postponed until Tuesday morning next at 11 o'clock, and made the special order for that hour; and that it be engrossed and printed, which prevailed.

Indefinite leave of absence was granted Mr. Holt, on account of sickness.



Mr. Robinson<sup>3</sup> stated that Mr. Young was detained at his home on account of a severe and continuous storm.

On motion, the Senate adjourned.

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## FORTY-THIRD DAY.

SENATE CHAMBER, Jan. 25th, 1877.

The Senate met pursuant to adjournment.

Lieut. Gov. Jarvis in the chair.

### PETITIONS AND MEMORIALS.

By Mr. Crawford: Petition from the citizens of Rowan county; referred to the Committee on Propositions and Grievances.

Reports from Standing Committees were submitted, as follows:

From Committee on Judiciary,

By Mr. Robins: S. B. 376, bill to enable fathers to emancipate their minor children, a majority recommending it do pass.

By Mr. Folk: S. B. 374, bill to punish injuries to railroads and canals, reporting an amendment and, as amended, recommending it do pass.

H. B. 335, S. B. 352, bill to require Clerks and Registers of Deeds to provide and keep indexes and cross indexes to names of all parties to all suits, deeds and other instruments of writing filed and registered in their respective offices, reporting an amendment and, as amended, recommending it do pass.

By Mr. Graham : S. B. 366, bill for arranging the disordered records of courts, recommending it do pass.

H. B. 333, S. B. 379, bill to amend an Act to regulate the times of holding the terms of the Superior Courts of Cumberland county, recommending it do pass.

By Mr. Wilson : Bill to amend section 23, chapter 45, Battle's Revisal, reporting a substitute and recommending that the substitute do pass.

From Committee on Education,

By Mr. Stickney : S. B. 348, bill to revise and consolidate the public school law, reporting certain amendments and, as amended, recommending it do pass.

On motion of Mr. Stickney, the rules were suspended and the bill was taken up and ordered to be printed.

From Committee on Finance,

By Mr. Graham : H. R. 95, S. R. 337, resolution authorizing the Governor to employ clerical assistance, recommending it do pass.

From the committee on Corporations,

By Mr. Sandifer : S. B. 221, bill to consolidate and revise the charter of the town of Winston and the amendments thereto, reporting amendments and, as amended recommending it do pass.

From the Committee on Judiciary,

By Mr. Ferguson : H. B. 279, S. B. 381, bill to amend chapter 72, Laws of 1874-'75, recommending it do pass.

Message from the House of Representatives,

H. R. 100, S. R. 397, resolution in regard to the sale of the Governor's mansion, referred to the Committee on Public Buildings and Grounds.

H. R. 95, S. R. 398, resolution authorizing the sale of the State arsenal at Fayetteville, referred to the Committee on Public Buildings and Grounds.

H. B. 284, S. B. 399, bill concerning the purchase of stationery, referred to the Committee on Claims.

H. B. 272, S. B. 400, bill to amend section 16, chapter



44, Battle's Revisal, referred to Committee on Judiciary.

H. B. 292, S. B. 401, bill to incorporate King's Mountain Baptist Female Seminary, at Shelby, N. C., referred to Committee on Corporations.

H. B. 246, S. B. 402, bill to amend sections 1 and 5, chapter 138, Laws of 1873-'74, referred to the Committee on Judiciary.

H. B. 232, S. B. 410, bill to complete the railroad from Paint Rock to Warm Springs, in Madison county, referred to the Committee on Internal Improvements.

H. R. 104, S. R. 409, resolution in relation to mileage and per diem of H. C. Maddrey, member of the House from Hertford Conny, placed upon the Calendar.

H. B. 275, S. B. 411, bill to repeal chapter 177 of the Private Laws of 1874-'75, referred to the Committee on the Judiciary.

Engrossed amendment to S. R. 340, H. R. 102, resolution in relation to the inaugural address and message of Governor Vance, which was concurred in and the resolution ordered enrolled for ratification.

Engrossed amendments to S. B. 28, H. B. 239, bill to amend section 2, chapter 18, Battle's Revisal, referred to the Committee on Judiciary.

Also announcing the concurrence of that body in Senate amendments to H. B. 188, S. B. 257, bill to incorporate the town of Conover in Catawba county.

H. B. 157, S. B. 204, bill to amend chapter 136 Private Laws of 1873-'74.

H. R. 93, S. R. 334, resolution to raise a Joint Committee on Public Charities;

And had ordered the same enrolled for ratification.

Also transmitting a communication and report from the Hon. John M. Worth, Public Treasurer, with the proposition to print, which was concurred in.

The following named bills and resolutions were intro-

duced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Standford: S. B. 403, bill to incorporate the Trustees of Lillington Academy, Pender county; referred, with accompanying petition, to Committee on Corporations.

By Mr. Bingham: S. B. 404, bill to incorporate the South Fork Bridge Company in Ashe County; referred to the Committee on Corporations.

By Mr. Caho: S. B. 405, bill to change the time of holding the Superior Courts of Pamlico county; placed on the calendar.

By Mr. Robinson: S. R. 406, resolution in favor of the bill now before Congress for counting the electoral vote; placed upon the calendar.

By Mr. Crawford: S. B. 407, bill to amend section 2 of article 6 of the Constitution of North Carolina; referred to the Committee on Judiciary.

By Mr. Folk: S. B. 408, bill to establish county governments; referred to the Committee on County Government.

Leave of absence was granted to Mr. Stickney, indefinitely; To Mr. Albright, till Thursday of next week.

Mr. Green stated that Mr. Dunn was detained from his seat on account of illness.

Mr. Holt was announced as absent on account of sickness.

Mr. Robinson moved a suspension of the rules to take up S. R. 406, resolution in favor of the bill, now before Congress, for counting the electoral vote.

Mr. Mebane of Rockingham, objected

On division the rules were suspended, 30 Senators voting the affirmative.

Mr. Scales moved its reference to the Committee on Judiciary.

Mr. Stickney moved to indefinitely postpone.

Mr. Ferguson moved to postpone till to-morrow at 11 o'clock, A. M., and make it the special order for that hour.



Mr. Stickney withdrew his motion to indefinitely postpone.

Mr. Latham called the previous question, which was sustained, and the main question was ordered.

Mr. Robinson called for the yeas and nays, which was sustained, and the resolution passed, yeas 25, nays 15, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Crawford, Dortch, Ferguson, Folk, Graham, Heilig, Hughes, Johnston, Justice, Liles, Moore of Mecklenburg, Nicholson, Robins, Robinson, Stickney, Stewart, Short, Thorne, Williams, Wilson, York—25.

*Negative*—Messrs. Caho, Coke, Cunningham, Finger, Green, Latham, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Roberts, Sandifer, Scales, Standford, Troy, Waddell—15.

The following named bills and resolutions were acted upon as follows:

S. B. 387, bill to authorize the town of Warrenton to subscribe to the capital stock of the Warrenton Railroad Company, on second reading and passed, yeas 40, nays 0:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne, York—40.

*Negative*—0.

H. B. 304, S. B. 383, bill concerning the Mutual Insurance Company of Wilmington, on second reading and passed.

On motion of Mr. Short, the rules were suspended, and the bill passed its third reading—yeas 29, nays 10, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Caho, Coke, Crawford, Cunningham, Ferguson, Finger, Graham, Heilig, Hughes, Johnston, Justice, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robinson, Standford, Stickney, Short, Thorne, Troy, Williams, Wilson, York—29.

*Negative*—Messrs. Boddie, Dortch, Latham, Liles, Mebane of Rockingham, Robins, Sandifer, Scales, Stewart, Waddell—10.

On motion of Mr. Troy, the bill was ordered immediately enrolled.

On motion of Mr. Short, the rules were suspended and

S. B. 228, bill to amend and consolidate the charter of the Great Falls Manufacturing Company, located at Rockingham, in the county of Richmond, was taken up on its second reading and passed.

On motion of Mr. Standford, the special order for to-day, being the motion of Mr. Liles to reconsider the vote by which S. B. 82, bill for the improvement and reclamation of certain swamp lands in Onslow and other counties, failed to pass its third reading, was postponed until next Thursday and made the special order for that day.

On motion of Mr. Robins, the rules were suspended and

H. B. 250, S. B. 346, bill to submit the sale of spirituous liquors to the qualified voters of Carthage township in the county of Moore, was taken up on its second reading.

Mr. Robins moved to amend:

Insert as an additional section, between sections 6 and 7 of the bill, the following: "That the sheriff of Moore county shall designate the Justice to aid in comparing and certifying the vote cast at such election, and the Register of Deeds of said county shall designate inspectors of said election, and if any officer shall fail to discharge any duty imposed by this act, such person so offending shall be guilty



of a misdemeanor, and upon conviction in the Superior Court shall be fined at the discretion of the Court;”

which was adopted.

The bill passed its second reading; and

On motion of Mr. Robins, it was ordered to its third reading.

Mr. Robins moved to amend:

Strike out at the end of section 5 the words “one month,” and insert “thirty days,”

which was adopted.

Bill then passed its third reading, yeas 30, nays 0, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Coke, Cunningham, Dortch, Ferguson, Finger, Folk, Heilig, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Thorne, Waddell, Wilson, York—30.

*Negative*—0.

On motion of Mr. Stickney, S. B. 85, bill to repeal an Act of 1873-'74, chapter 137, so far as relates to Jones county, was taken up on its second reading.

Mr. Stickney moved its indefinite postponement.

Mr. Askew moved to lay it on the table.

The motion of Mr. Askew prevailed.

On motion of Mr. Wilson, the rules were suspended and S. B. 229, bill to prohibit the sale of spirituous liquors near the towns of Salem and Winston, in Forsythe county, and for other purposes, was taken up on its second reading.

The amendments reported by the committee on Propositions and Grievances were adopted, and the bill passed its second reading.

The bill was put upon its third reading.

Mr. Troy moved to amend :

Strike out where it occurs, the word "less," and insert the word "more," which was adopted.

Mr. Sandifer moved an amendment :

Amend section three by striking out the word "skill."

Lost.

Bill then passed its third reading, yeas 33, nays 0, as follows :

*Affirmative*—Messrs. Albright, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Heilig, Hughes, Johnston, Justice, Latham, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Williams, Wilson, York—33.

*Negative*—0.

On motion of Mr. Coke, the rules were suspended and S. B. 235, bill to authorize the Commissioners of Pasquotank county to levy a special tax, was taken up on its second reading and passed, yeas 40, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Graham, Heilig, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Williams, Wilson, Wynne, York.—40.

Mr. Dortch moved to suspend the rules and take up S. B. 311, bill in relation to the several penal and charitable institutions of the State, and moved the bill be referred to Committee on Penal Institutions, which motion prevailed.

On motion of Mr. Coke, the rules were suspended and



H. R. 104, S. R. 409, resolution in relation to mileage and per diem of H. C. Maddrey, member of the House from Hertford county, was taken up on its second reading.

Mr. Moore of New Hanover moved to refer the resolution to Committee on Claims.

Mr. Justice moved to refer to the Committee on Judiciary.

Mr. Graham called the previous question, which was sustained.

Bill then passed its second reading and was put upon its third reading.

Mr. Moore of New Hanover moved to amend by adding:

“Provided, the officers and members of this General Assembly be paid twenty cents mileage and five dollars per day up to the passage of the act fixing the per diem and mileage.

Lost.

Bill then passed its third reading, ayes 32, nays 7, as follows:

*Affirmative*—Messrs. Albright, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Williams, Wilson, York.—33.

*Negative*—Messrs. Askew, Bingham, Folk, Green, Moore of New Hanover, Nicholson, Waddell.—7.

Mr. Bingham moved to reconsider the vote by which S. R. 406, resolution in favor of the bill, now before Congress, for counting the electoral vote, passed this morning.

Mr. Robins moved to lay that motion on the table.

Pending consideration, on motion of Mr. Graham, the Senate adjourned.

## FORTY-FOURTH DAY.

SENATE CHAMBER, Jan. 26th, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

Prayer by the Rev. Mr. Norman, of the city.

The Journal of yesterday was read.

## PETITIONS AND MEMORIALS.

By Mr. Standford: Memorial from the State Medical Society of North Carolina; referred to the Committee on Propositions and Grievances.

Reports from standing committees were submitted as follows:

From Committee on Engrossed Bills,

By Mr. York: S. B. 346, H. B. 250, bill to be entitled an Act to submit the question of sale of spirituous liquors to the qualified voters of Carthage township, in Moore county.

S. B. 229, bill to prohibit the sale of spirituous liquors near the towns of Salem and Winston, in Forsythe county.

By Mr. Waddell: S. R. 406, resolution in favor of the bill now before Congress, for counting the electoral vote.

From committee on Propositions and Grievances,

By Mr. Dortch: S. B. 393, bill to change the dividing line between the counties of Brunswick and Columbus, recommending it do pass.

From the Committee on Corporations,

By Mr. Nicholson: S. B. 390, bill to amend an Act to incorporate the town of Hickory, in the county of Catawba, ratified December 18th, 1873, recommending it do pass.

From the Committee on Propositions and Grievances,

By Mr. Albright: S. B. 396, bill to incorporate the In-



Industry Lodge, No. 1, of Pender county, N. C., reporting an amendment, and as amended recommending it do pass.

From Committee on Corporations,

By Mr. Scales: S. B. 358, bill to farm out convicts to labor on a railroad leading to Rutherfordton, in the county of Rutherford, reporting certain amendments, and as amended, recommending it do pass.

From committee on County Government,

By Mr. Robins: S. B. 166, bill to provide for the government of counties, recommending it do not pass.

By Mr. Coke: S. B. 391, bill to define the powers and duties of Justices of the Peace, in supervising the affairs of the county, recommending it do not pass.

By Mr. Justice: S. B. 224, bill to modify, change and abrogate various sections of Article VII of the Constitution of the State, recommending it do not pass;

S. B. 330, bill to abrogate certain sections of Article VII of the Constitution of the State, and substitute others in their place, recommending it do not pass.

By Mr. Roberts: S. B. 225, bill in relation to Justices of the Peace, recommending it do not pass.

By Mr. Folk: S. B. 408, bill to establish county governments, recommending it do pass.

Mr. Folk moved a suspension of the rules, and take up S. B. 408, that it be engrossed, ordered to be printed, and made the special order for Thursday morning at 11 o'clock, February 2. Motion prevailed.

From committee on Claims,

By Mr. Finger: S. B. 281, bill for the relief of Pinkney Rollins and Company, reporting unfavorably;

S. B. 339, bill for the relief of R. H. Cannon, Judge, recommending it do not pass;

S. R. 245, resolution in favor of the Petersburg Railroad Company, recommending its reference to the committee on Judiciary.

From the committee on Judiciary,

By Mr. Scales: S. B. 373, bill to punish embezzlement by persons in fiduciary positions, recommending it do pass;

S. B. 342, bill to make fraudulent appropriations of property by bailees, embezzlement, reporting a substitute, and recommending the substitute do pass.

From the committee on Insurance.

By Mr. Short: S. B. 372, bill to amend chapter 30, Acts 1873-'74, entitled an Act in relation to Fire Insurance Companies, reporting a substitute, and recommending the substitute do pass.

Leave of absence was granted Mr. J. T. Roach assistant doorkeeper, and Mr. Boddie, for one week from to-day; to Mr. Bennett, for one week from to-morrow; to Mr. Short, indefinitely; to Messrs. Crawford & Wilson, until Tuesday of next week.

The Lieutenant-Governor announced as Senate branch of joint committee to examine into the lease of the North Carolina Railroad, under H. R. 83, S. R. 264, Messrs. Liles and Robins.

From committee on County Government,

By Mr. Sandifer: S. B. 226, bill to establish a system of courts in the several counties of the State, recommending its reference to the Judiciary Committee.

The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State:

S. B. 47, H. B. 254, an Act to incorporate the Board of Provincial Elders of the Southern Province of the Moravian Church or *Unitas Fratrum*.

S. R. 340, H. R. 102, resolution in relation to the Inaugural Address and Message of Governor Vance.

S. B. 370, H. B. 350, an Act in relation to the Superior Courts of Wayne county.

S. B. 179, H. B. 130, an Act to allow mechanics sixty days within which to file their liens.

S. B. 187, H. B. 280, an Act to enable railroad, mining



and manufacturing companies to purchase steamboats to be used in connection with such railroads and their business.

S. B. 270, H. B. 278, an Act to incorporate the Franklinsville Manufacturing Company in the county of Randolph.

H. B. 188, S. B. 237, an Act to incorporate the town of Conover in the county of Catawba.

H. R. 104, S. R. 409, resolution in relation to the per diem and mileage of H. C. Maddrey, a member of the House from Hertford county.

S. B. 242, H. B. 270, an Act to incorporate the town of Gastonia in Gaston county.

H. B. 180, S. B. 206, an Act to incorporate Bellevue Cemetery Company.

H. B. 304, S. B. 383, an Act concerning the Mutual Insurance Company of Wilmington.

S. R. 378, H. R. 101, resolution to raise joint committee.

S. B. 32, H. B. 299, an Act to incorporate the Hook and Ladder Company, No. 2, of the City of Wilmington.

S. R. 371, H. R. 105, resolution to repeal resolution in regard to M. S. Littlefield.

H. R. 93, S. R. 336, resolution appointing a Joint Committee on Public Charities.

H. B. 225, S. B. 303, an Act to incorporate the town of Holly Springs in the county of Wake.

S. B. 248, H. B. 240, an Act to abolish the July term of the Superior Court of Wayne county.

S. B. 203, H. B. 196, an Act to amend section 52, chapter 63, Battle's Revisal.

The following named bills and resolutions were introduced, read, and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Standford: S. B. 409, bill to establish State Boards of Health, referred to Committee on Propositions and Grievances.

By Mr. Hughes: S. B. 410, bill to authorize Registers of

Deeds to administer oaths in certain cases, referred to Committee on Judiciary.

By Mr. Graham: S. B. 411, bill to modify and change the provisions of certain sections of Article VII of the Constitution of the State, placed upon the Calendar and ordered to be printed.

By Mr. Bennett: S. B. 412, bill to provide for repairing the quarantine hospital at Smithville, N. C., referred to the Committee on Finance.

#### UNFINISHED BUSINESS

Being the motion of Mr. Robins to lay on the table the motion of Mr. Bingham to reconsider the vote by which the Senate passed S. R. 406, resolution in favor of the bill now before Congress for counting the electoral vote, was taken up.

By request of Mr. Seales, Mr. Robins withdrew his motion to lay on the table.

Mr. Robinson renewed the motion to lay on the table.

Mr. Troy moved the previous question upon the motion to reconsider, which was sustained, and the motion to reconsider was lost, yeas 14, nays 20, as follows:

*Affirmative*—Messrs. Bingham, Caho, Coke, Finger, Green, Johnston, Latham, Mebane of Bertie, Mebane of Rockingham, Sandifer, Seales, Standford, Troy, Waddell—14.

*Negative*—Messrs. Askew, Boddie, Crawford, Cunningham, Dortch, Ferguson, Folk, Graham, Heilig, Holt, Hughes, Justice, Moore of Mecklenburg, Nicholson, Robins, Robinson, Short, Thorne, Waddell, Williams, York—20.

On motion of Mr. Justice, S. B. 350, bill to farm out convicts to labor on the railroad leading to Rutherfordton in Rutherford county, was taken up on its second reading.

On his further motion, it was postponed till Friday next, February 3d, and made the special order for that day.

By consent, Mr. Seales introduced S. R. 413, resolution rel-



ative to settling the Presidential election, and moved a suspension of the rules to put the resolution upon its passage.

Mr. Robinson objected to suspension of the rules, and the objection was sustained.

The resolution was placed upon the calendar.

The following named bills and resolutions were acted upon as follows:

S. B. 387, bill to authorize the town of Warrenton to subscribe to the capital stock of the Warrenton Railroad Company, on its third reading and passed, ayes 34, noes 0, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Standford, Short, Thorne, Troy, Waddell, Williams, Wynne, York.—34.

*Negative*—0.

On motion of Mr. Short, S. B. 393, bill to change the dividing line between the counties of Brunswick and Columbus, was taken up on its second reading.

Mr. Troy moved to amend by striking out the word "Matt" wherever it occurs, so that the township shall be known as "Ransom," simply, which was accepted.

Mr. Bennett moved to amend by striking out section three.

Lost.

Bill passed its second reading, and was put upon its third reading and passed, yeas 30, nays 6, as follows:

*Affirmative*—Messrs. Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Standford, Short, Troy, Waddell, Williams—30.

*Negative*—Messrs. Bennett, Green, Mebane of Bertie, Thorne, Wynne, York—6.

Mr. Short moved to reconsider the vote by which S. B. 393 passed its third reading, and moved to lay that motion on the table, which prevailed.

S. B. 235, bill to authorize the commissioners of Pasquotank county to levy a special tax, on third reading, and passed, yeas 33, nays 0, as follows:

*Affirmative*—Messrs. Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt Hughes, Johnston, Latham, Liles, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Standford, Thorne, Troy, Waddell, Williams, Wynne, York—33.

*Negative*—0.

On motion of Mr. York, S. B. 332, bill to prevent the destruction of quails or partridges, was taken from the table and placed on the calendar.

On motion of Mr. Johnston, S. B. 281, bill for the relief of Pinkney Rollins & Co., was taken up, and on his further motion was recommitted to the committee on Claims.

On motion of Mr. Troy, H. B. 333, S. B. 374, bill to amend an Act to regulate the time of holding the Superior Court of Cumberland county, was taken up on its second reading and passed.

The bill was then put upon its third reading and passed—yeas 23, nays 2, as follows:

*Affirmative*—Messrs. Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robinson, Roberts, Sandifer, Standford, Thorne, Troy, Waddell, York.—26.

*Negative*—Messrs. Robins, Stewart.—2.

Mr. Moore of New Hanover moved a suspension of the



rules and take up S. B. 396, bill to incorporate the Industry Lodge, No. 1, of Pender county, North Carolina.

To which Mr. Latham objected, and the rules were not suspended.

On motion of Mr. Moore of Mecklenburg, House substitute for H. B. 114, S. B. 176, bill to incorporate the town of Laurinburg in the county of Richmond, was taken up; and

On his further motion, it was recommitted to the Committee on Corporations

S. B. 228, bill to amend and consolidate the charter of the Great Falls Manufacturing Company, located at Rockingham, in the county of Richmond, on third reading and passed, ayes 33, noes 0, as follows:

*Affirmative*—Messrs. Askew, Bingham, Boddie, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Standford, Stewart, Thorne, Troy, Williams, Wynne, York.—33.

*Negative*—0.

S. B. 405, bill to change the time of holding the Superior Courts of Pamlico county, on second reading.

On motion of Mr. Green, the bill was postponed till tomorrow morning at eleven o'clock.

S. B. 325, bill to protect the fishing interest in Contentnea and Black Creeks, on second readings.

Amendments reported by the Committee on Propositions and Grievances were adopted.

Bill then passed its second reading; and

On motion of Mr. Williams, the bill was put upon its third reading and passed, ayes 30, noes 0, as follows:

*Affirmative*—Messrs. Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Green, Heilig, Holt, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Nickolson, Robins, Robin-

son, Roberts, Sandifer, Standford, Stewart, Thorne, Troy, Waddell, Williams, York—30.

*Negative*—0.

S. B. 297, bill to require sheriffs and tax collectors to make publication of lists of delinquent tax payers, on second reading.

Mr. Robins moved its reference to Committee on Finance. Which was lost.

Bill then passed its second reading and was put upon its third reading and passed, yeas 31, nays 0, as follows:

*Affirmative*—Messrs. Askew, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Green, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Rockingham, Nicholson, Robins, Robinson, Roberts, Sandifer, Standford, Stewart, Thorne, Troy, Waddell, Williams, York—31.

*Negative*—0.

S. B. 301, bill in relation to receipts for taxes, on second reading, and passed.

Mr. Mebane of Rockingham, moved a suspension of the rules and put the bill on its third reading, which prevailed.

Mr. Sandifer moved to amend:

Add after the word "county tax," "and how much special county tax," if any.

Mr. Stewart moved to recommit the bill to the committee on Judiciary, which prevailed.

Mr. Troy, by consent, introduced S. R. 414, resolution to amend the rules of the Senate, which was put upon its passage and lost.

Mr. Troy, by consent, introduced S. B. 415, bill concerning contested elections for members of the General Assembly, which was referred to the committee on Judiciary.

On motion of Mr. Folk, the vote by which Senate bill 301, bill in relation to receipts for taxes was referred to



the Committee on Judiciary, was reconsidered, and on his further motion it was indefinitely postponed.

S. B. 289, bill to authorize the commissioners of Bertie county to levy a special tax, on second reading.

On motion of Mr. Coke, it was indefinitely postponed.

By consent, Mr. Mebane of Bertie, introduced S. B. 416, bill in relation to contestants, referred to the Committee on Claims.

S. B. 316, bill for the protection of buzzards, was taken up on second reading.

Mr. Moore of New Hanover moved to amend :

Insert after the word "buzzards," the words "in the counties of New Hanover and Pender."

Mr. Askew moved to amend :

Strike out the word "buzzard" and insert "vulture."

Lost.

The amendment of Mr. Moore of New Hanover, was adopted.

The bill then passed its second reading, was then put upon its third reading and passed, yeas 31, nays 3, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Roberts, Standford, Thorne, Wynne, York—31.

*Negative*—Messrs. Sandifer, Stewart, Waddell.—3.

Mr. Standford moved to take from the table S. B. 85, bill to repeal an Act of 1873-'74, chapter 137, so far as relates to Jones county.

Pending consideration, on motion of Mr. Liles the Senate adjourned.

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### FORTY-FIFTH DAY.

SENATE CHAMBER, Jan. 27th, 1877.

The Senate met pursuant to adjournment.

Lieut. Gov. Jarvis in the chair.

Journal of yesterday was read.

By request of Mr. Crawford, the leave of absence granted him on yesterday, was revoked.

Leave of absence was granted to Mr. Roberts, until next Tuesday;

To Mr. Justice, until Wednesday;

To Mr. Scales, for to-day.

Reports from Standing Committees were submitted as follows:

From committee on Judiciary,

By Mr. Mebane of Rockingham: H. B. 246, S. B. 402, bill to amend sections 1 and 5, chapter 138, Laws of 1873-74, recommending its reference to the Committee on Propositions and Grievances.

S. B. 285, bill to provide a special commission for the county of Craven, reporting certain amendments, and as amended, recommending it do pass.

By Mr. Robins: S. B. 407, bill to amend section 2, article 6, of the Constitution of North Carolina, recommending it do not pass.

House amendments to S. B. 28, H. B. 239, bill to amend



section 2, chapter 18, Battle's Revisal, recommending that the Senate do not concur.

By Mr. Bingham : S. B. 343, bill authorizing Justices of the Peace to have an official seal, recommending it do not pass ;

S. B. 377, bill for the more effectual protection of religious assemblies, recommending it do not pass.

By Mr. Graham : S. B. 234, bill to regulate the term of the Superior Courts for the ninth judicial district of North Carolina, reporting a substitute, and recommending it do pass ;

H. B. 272, S. B. 400, bill to amend section 16, chapter 44, Battle's Revisal, reporting an amendment, and as amended recommending it do pass.

By Mr. Folk : S. B. 389, bill to refund to the Richmond and Danville Railroad Company certain taxes unlawfully imposed upon the real estate of the North Carolina Railroad Company, held for rights of way, station places of whatever kind, and work shop locations, recommending it do pass.

By Mr. Coke : H. R. 24, S. R. 129, resolution of protest, recommending it do not pass ;

S. B. 334, bill to define punishment, recommending it do pass.

By Mr. Ferguson : S. B. 395, bill to restrict the powers of taxation by cities and towns, recommending it do pass.

From committee on Propositions and Grievances,

By Mr. Bingham : S. B. 392, bill to regulate the stamping of weights and measures, recommending it do not pass ;

S. B. 262, bill for the better protection of churches and religious congregations in this State, recommending it do not pass.

From the Committee on Insane Asylum,

By Mr. Standford : S. B. 256, bill to amend chapter 6, Bat-

tle's Revisal, concerning the Insane Asylum, recommending it do not pass.

From the Committee on Penal Institutions,

By Mr. Troy: H. B. 249, S. B. 335, bill to authorize the several county authorities of this State to farm out convicts, recommending it do pass.

Message from the House of Representatives:

H. B. 319, S. B. 417, bill to amend the charter of the Georgia and North Carolina Railroad and for other purposes; referred to the Committee on Internal Improvements.

By consent Mr. Thorne withdrew S. B. 299, bill to amend the laws of divorce, in sections 4 and 5, chapter 37, Battle's Revisal, desiring to offer a substitute therefor.

From the Committee on Judiciary,

S. B. 349, bill to remove the political disabilities of William W. Holden, recommending it do not pass.

From the Committee on Engrossed Bills,

By Mr. Waddell: S. B. 297, bill to require sheriffs and tax collectors to make publication of lists of delinquent taxpayers.

S. B. 387, bill to authorize the town of Warrenton to subscribe to the capital stock of the Warrenton Railroad Company.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Liles: S. B. 418, bill to aid in the construction of the Cheraw and Salisbury Railroad, referred to the Committee on Internal Improvements.

By Mr. Sandifer: S. B. 419, bill to amend chapter 176, Laws 1873-'74, entitled an Act to amend chapter 32, Battle's Revisal, referred to the Committee on Judiciary.

By Mr. Moore of Mecklenburg: S. B. 420, bill to amend the charter of the city of Charlotte, referred to the Committee on the Judiciary.

By Mr. Troy: S. B. 421, bill to appoint a county super-



intendent of education, referred to the Committee on Education.

S. B. 422, bill to amend Battle's Revisal, concerning lunatics, referred to the Committee on Insane Asylum.

By Mr. Thorne: S. B. 423, bill to amend the laws of divorce, in sections 4 and 5, chapter 37, Battle's Revisal, referred to the Committee on the Judiciary.

Mr. York gave notice that on next Wednesday, at eleven o'clock, he would introduce resolutions of respect to the late Senator from the 33d district—the Hon. J. G. Marler, deceased.

#### THE UNFINISHED BUSINESS

of yesterday was taken up, being the motion of Mr. Stanford to take from the table S. B. 85, bill to repeal an Act of 1873-'74, chapter 137, so far as relates to Jones county, which prevailed, and upon his further motion, the bill was postponed till Wednesday next, at 11 o'clock A. M., and made the special order for that hour.

At 11 A. M.: S. B. 405, bill to change the times of holding the Superior Courts of Pamlico county, was taken up on its second reading, it being the special order for that hour.

Mr. Coke offered the following amendment:

Amend by inserting the following sections:

"SEC. 3. The regular term of the Superior Court of Jones county shall be for one week only.

"SEC. 4. That the Act of the General Assembly requiring courts to be held in the county of Pamlico on the twelfth Monday after the second Monday in March and September be and the same is hereby repealed."

Strike out the words "Sec. 3" and insert the words "Sec. 5."

Strike out the word "Sec. 4" and insert the words "Sec. 6."

All of which were adopted.

The bill then passed its second reading and, on motion of Mr. Caho, the rules were suspended and the bill passed its third reading, ayes 28, noes 0, as follows:

*Affirmative*—Messrs. Askew, Bingham, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Graham, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Standford, Stewart, Thorne, Troy, Waddell, York—28.

*Negative*—0.

The following named bills and resolutions were acted upon as follows:

S. B. 302, bill for the encouragement of watering places on second reading.

On motion of Mr. Mebane of Rockingham, the bill was recommitted to the committee on Propositions and Grievances;

S. B. 175, bill to amend section 75 and 76, chapter 33, Battle's Revisal, and to regulate the manner of summoning jurors in capital causes, on second reading and passed.

On motion of Mr. Latham, the bill was put upon its third reading.

On motion of Mr. Ferguson, the bill was laid on the table.

S. B. 266, bill to amend the Pilot Laws of the State, on second reading.

On motion of Mr. Coke, the bill was indefinitely postponed.

S. B. 182, bill to authorize the County Commissioners of Camden county to subscribe ten thousand dollars, on account of the "Court House township," to the Elizabeth City and Norfolk Railroad, on second reading.

On motion of Mr. Coke, the bill was laid on the table.

S. B. 324, bill to incorporate the town of Denver in the county of Lincoln, on second reading.



The amendments reported by the Committee on Corporations were adopted.

The bill then passed its second reading, and on motion of Mr. Finger, it was put upon its third reading.

On motion of Mr. Dortch, the reading of the bill was dispensed with.

Mr. Cunningham moved to dispense with the call of ayes and noes, which motion was objected to and the bill passed its third reading, ayes 23, noes 0, as follows :

*Affirmative*—Messrs. Askew, Bingham, Bryant, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Graham, Heilig, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Sandifer, Standford, Stewart, Thorne, Troy, Waddell, York.—28.

*Negative*—0.

S. B. 214, bill to provide for the working of the public roads of the State, on second reading.

On motion of Mr. Robins, the bill was indefinitely postponed.

S. R. 38, resolution in favor of G. W. and B. K. Dickey, on second reading.

Mr. Stewart moved to refer the bill to the Committee on the State Debt.

Mr. Graham moved to lay the bill on the table, which was lost.

The motion of Mr. Stewart to refer prevailed.

H. B. 230, S. B. 308, bill to amend chapter 131, Laws of 1874-'75, relative to the charter of Kinston, on second reading and passed.

On motion of Mr. Standford, it was postponed until Monday week, February 5th, and made the special order for that day.

H. B. 256, S. B. 284, bill to prevent the destruction of legal notices, on second reading.

Substitute reported by the Committee on the Judiciary was adopted and the bill passed its second reading.

On motion of Mr. Latham, the bill was put upon its third reading and passed, ayes 29, noes 0, as follows.

*Affirmative*—Messrs. Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Finger, Folk, Graham, Heilig, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Sandifer, Standford, Stickney, Stewart, Thorne, Troy, Waddell, Wynne, York—29.

*Negative*—0.

House amendments to S. B. 16, H. B. 279, bill to incorporate the Laborers' Union of Wilmington, N. C., concurred in ;

H. R. 26, S. R. 193, resolution concerning the relations between the white and colored people of the State, on second reading and passed.

On motion of Mr. Stewart, the bill was put upon its third reading.

Mr. Troy moved to amend :

“Strike out the preamble.”

Mr. Sandifer moved to indefinitely postpone. Lost.

The motion of Mr. Troy was lost.

The resolution passed its third reading—yeas 28, noes 3, as follows :

*Affirmative*—Messrs. Askew, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Graham, Heilig, Hughes, Johnston, Latham, Liles, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Standford, Stewart, Thorne, Waddell, York—28.

*Negative*—Messrs. Mebane of Bertie, Moore of New Hanover, Sandifer—3.



S. B. 212, bill to amend chapter 115, Battle's Revisal, on second reading.

Substitute reported by the Committee on the Judiciary was adopted, and the bill passed its second reading.

On motion of Mr. Stewart, the bill was put upon its third reading.

Mr. Folk moved to amend :

Strike out "sport or play,"

which was adopted.

On motion of Mr. Troy, the bill was laid upon the table.

S. R. 333, resolution of instruction to the Committee on Propositions and Grievances, on the subject of sheep husbandry.

Mr. Troy moved to strike out the words "Propositions and Grievances" wherever it occurs, and insert "Agriculture, Mechanics and Mining," which was adopted.

The resolution was then adopted.

S. R. 287, resolution in favor of the colored race, on its second reading.

Mr. York moved to indefinitely postpone, upon which Mr. Moore of New Hanover, called for the yeas and nays.

The call being sustained, the motion to postpone was lost, yeas 12, noes 20, as follows:

*Affirmative*—Messrs. Askew, Coke, Dortch, Finger, Heilig, Latham, Nicholson, Robins, Sandifer, Stewart, Troy, York—12

*Negative*—Messrs. Bingham, Bryant, Caho, Crawford, Cunningham, Ferguson, Folk, Green, Graham, Hughes, Johnston, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Standford, Thorne, Waddell.—20.

Mr. Ferguson moved to amend :

Strike out section three.

Mr. Hughes moved to amend :

Strike out the words “in the Southern States.”

Mr. Graham moved to refer to the Committee on the Judiciary, with instructions to report such resolutions as the Committee may think proper on the subject.

Mr. Crawford moved to lay the bill upon the table, upon which

Mr. Moore of New Hanover called for the ayes and noes, which was sustained, and the motion to table was lost, ayes 15, noes 18, as follows :

*Affirmative*—Messrs. Askew, Coke, Crawford, Finger, Heilig, Latham, Liles, Mebane of Bertie, Nicholson, Robins, Sandifer, Stewart, Troy, Waddell, York—15.

*Negative*—Messrs. Bingham, Bryant, Caho, Cunningham, Dortch, Ferguson, Folk, Green, Graham, Hughes, Johnston, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Standford, Thorne, Wynne—18.

On motion of Mr. Crawford, the Senate adjourned till Monday next at 10½ o'clock, A. M.

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## FORTY-SIXTH DAY.

SENATE CHAMBER, Jan. 29th, 1877.

The Senate met pursuant to adjournment.

Lieut. Gov. Jarvis in the chair.

Prayer by the Rev. Mr. Rich, of the city.

The Journal of Saturday was read.

Message from the House of Representatives, announcing

the concurrence of that body in Senate amendments to H. B. 250, S. B. 346, bill to submit the question of the sale of spirituous liquors to the qualified voters of Carthage township, Moore, county, and had ordered the same enrolled for ratification.

Also had passed

H. B. 273, S. B. 433, bill to incorporate the Currituck Shooting Club. Placed upon the Calendar.

H. B. 266, S. B. 434, bill to prohibit the sale of spirituous liquors within two miles of Donaldson Academy, outside of the town of Fayetteville, referred to the Committee on Propositions and Grievances.

H. B. 343, S. B. 435, bill to extend the time of taking grants from the State, referred to the Committee on Judiciary.

H. B. 325, S. B. 436, bill to authorize the county commissioners of Hyde county to levy a special tax, referred to the Committee on Finance.

H. B. 258, S. B. 437, bill regulating trials by Justices' courts, referred to Committee on Judiciary.

H. B. 339, S. B. 438, bill to levy a special tax in the county of Tyrrell, referred to the Committee on Finance

H. B. 330, S. B. 439, bill to incorporate the town of Cleveland Mills, in the county of Cleveland, referred to Committee on Corporations.

H. B. 316, S. B. 440, bill to incorporate the New Hope Baptist Church, in the county of Cleaveland, referred to the Committee on Corporations.

H. B. 320, S. B. 427, bill to amend Section 14, chapter 14, Battle's Revisal, referred to the Committee on Judiciary.

Reports from standing committees were submitted as follows:

From Committee on Engrossed Bills,

By Mr. York: S. B. 235, bill to be entitled an Act to authorize the commissioners of Pasquotank county to levy a special tax ;



S. B. 393, bill to change the dividing line between the counties of Brunswick and Columbus;

S. B. 325, bill to protect the fishing interest in Contentnea and Black Creeks;

S. B. 228, bill to amend and consolidate the charter of the Great Falls Manufacturing Company, located at Rockingham, in Richmond county;

S. B. 405, bill to change the time of holding the superior courts of Pamlico county.

From Committee on Finance,

Bill for the relief of the tax-payers of Wake county, without recommendation.

The following named bills and resolutions were introduced, read, and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Askew: S. B. 428, bill to require Commissioners of Jones and Lenoir counties to run and mark a portion of the boundary line between said counties; referred to the Committee on Propositions and Grievances.

By Mr. Scales: S. B. 429, bill to amend chapter 201, Laws of 1874-'75, entitled an Act prohibiting a fence law for the counties of Anson, Union and Guilford; referred to the Committee on Judiciary.

By Mr. Crawford: S. R. 430, resolutions in favor of Thos. Hampson; referred to the Committee on Finance.

By Mr. Troy: S. R. 431, resolution of instruction to the Public Treasurer. Placed upon the calendar.

By Mr. Waddell: S. B. 432, bill to amend section 3, of chapter 93, Laws of 1868-'69, and brought forward in sections 1 and 2, chapter 117, Battle's Revisal, in relation to dower. Referred to committee on Judiciary.

By Mr. Holt: S. B. 441, bill for the relief of the North Carolina State Agricultural Society. Referred to the committee on Finance.

The following named bills and resolutions were acted upon as follows:

S. R. 431, resolution of instruction to the Public Treasurer, was adopted.

S. R. 369, resolution to amend the rules of the Senate.

Mr. Robinson moved to amend by striking out the words, "and adjourn at 2 o'clock, P. M.," which was adopted.

Mr. Latham called for the yeas and noes upon the passage of the resolution, which was sustained.

Mr. Mebane of Rockingham, moved to lay on the table.

Mr. Graham called the previous question, which was ordered.

The resolution was lost—yeas 14, noes 13, as follows:

*Affirmative*—Messrs. Crawford, Cunningham, Finger, Graham, Heilig, Johnston, Latham, Mercer, Nicholson, Robins, Robinson, Troy, Wynne, York.—14.

*Negative*—Messrs. Askew, Bryant, Caho, Coke, Green, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Sandifer, Scales, Thorne, Williams.—13.

On motion of Mr. Sandifer, Hon. John F. Hoke, a former Senator from the county of Lincoln, was invited to a seat on the floor of the Senate.

#### THE UNFINISHED BUSINESS

of Saturday was taken up, being the motion of Mr. Graham to refer to the Committee on Judiciary S. R. 287, resolution in favor of the colored race; resolution on its second reading.

Mr. Graham withdrew his motion to refer.

Mr. Moore of New Hanover offered a substitute.

Mr. Graham moved the reference of the bill and substitute to the Committee on Judiciary; upon which

Mr. Nicholson demanded the ayes and noes, which were ordered, and the motion to refer prevailed, ayes 17, noes 14, as follows:

*Affirmative*—Messrs. Coke, Crawford, Cunningham,

Dortch, Ferguson, Finger, Graham, Heilig, Holt, Latham, Mercer, Nicholson, Sandifer, Scales, Troy, Waddell, York.—17.

*Negative*—Messrs. Askew, Bingham, Bryant, Green, Johnston, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robins, Robinson, Thorne, Williams, Wynne.—14.

On motion of Mr. Coke, H. B. 273, S. B. 433, bill to incorporate the Currtiuck Shooting Club, was taken from the calendar and referred to the committee on Corporations.

H. B. 208, S. B. 305, bill to prevent wilful interference with water cocks, valves, &c., of the Western North Carolina Insane Asylum, on second reading and passed.

On motion of Mr. Graham, it was put upon its third reading and passed—yeas 31, noes 0, as follows:

*Affirmative*—Messrs. Askew, Bingham, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Green, Graham, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Scales, Stewart, Thorne, Troy, Waddell, Williams, Wynne, York.—31.

*Negative*—0.

H. R. 95, S. R. 337, resolution authorizing the Governor to employ clerical assistance, on second reading and passed.

On motion of Mr. Crawford, the resolution was put upon its third reading.

Mr. Cunningham moved to refer to the Committee on Finance. Lost.

Mr. Mebane of Bertie moved to amend:

“Provided that the Private Secretary of ex-Governor Brogden be allowed pay for the extra clerical service employed by him.”

Lost.

Mr. York moved to amend:



“Provided the provisions of this resolution do not extend beyond twelve months.”

Lost.

Mr. Mebane of Bertie moved to amend:

“Strike out six hundred and insert three hundred.”

Upon which he called the ayes and noes.

Not sustained and the amendment was lost.

Resolution passed its third reading, ayes 24, nays 8, as follows:

*Affirmative*—Messrs. Askew, Bingham, Cahoon, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Green, Graham, Heilig, Holt, Hughes, Johnston, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Sandifer, Scales, Thorne, Troy, Williams—24.

*Negative*—Messrs. Latham, Mebane of Bertie, Nicholson, Robins, Stewart, Waddell, Wynne, York—8.

Mr. Crawford moved to reconsider the vote, and moved to lay the motion upon the table, which prevailed.

H. B. 217, S. B. 296, bill to amend chapter 239, Laws of 1874-'75, on second reading, it was referred to the committee on Propositions and Grievances;

H. B. 169, S. B. 282, bill to prohibit the sale of liquor within one mile of King's Mountain High School, Cleveland county, on second reading and passed.

Mr. Sandifer moved to suspend the rules and put the bill upon its third reading; to which

Mr. Green objected, and the Senate refused to suspend the rules.

H. B. 166, S. B. 275, bill making it a misdemeanor to carry concealed deadly weapons, on second reading.

On motion of Mr. York, it was indefinitely postponed.

H. R. 87, S. R. 307, resolution relative to carpeting the

office of the Principal Clerk of the House of Representatives, on the second reading.

On motion of Mr. Latham, it was referred to the Committee on Finance.

H. B. 263, S. B. 345, bill for the removal of road exemptions in the county of Clay, on second reading and passed.

On motion of Mr. Robinson, it was put upon its third reading and passed, yeas 32, nays 1, as follows:

*Affirmative*—Messrs. Askew, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Graham, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Scales, Stewart, Thorne, Troy, Williams, York—32.

*Negative*—Mr. Waddell—1.

H. B. 204, S. B. 283, bill in relation to the larceny of money, on its second reading and passed.

On motion of Mr. Latham, the bill was put upon its third reading and passed, yeas 26 nays 6, as follows:

*Affirmative*—Messrs. Askew, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Graham, Heilig, Holt, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Scales, Stewart, Thorne, Troy, Williams, York—26.

*Negative*—Messrs. Bryant, Hughes, Johnston, Mebane of Bertie, Moore of New Hanover, Waddell—6.

On motion of Mr. Robinson, the vote by which H. B. 166, S. B. 275, bill making it a misdemeanor to carry concealed deadly weapons, was indefinitely postponed, was reconsidered, and upon his further motion the bill was informally passed over.

S. B. 317, bill to amend chapter 17, sub-chapter 3, Battle's Revisal, on second reading.

Mr. Moore of New Hanover, moved to indefinitely postpone.

Lost.

Bill passed second reading.

Mr. Troy moved to suspend the rules and put the bill upon its third reading.

Mr. Bryant objected.

The motion of Mr. Troy to suspend the rules prevailed, and the bill passed, yeas 25, nays 6, as follows:

*Affirmative*—Messrs. Askew, Bingham, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Latham, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Scales, Stewart, Troy.—25.

*Negative*—Messrs. Rryant, Dunn, Green, Hughes, Moore of New Hanover, Thorne.—6.

On motion of Mr. Finger, S. B. 348, bill to revise and consolidate the public school law, was taken up, and

Upon his further motion, it was postponed till Wednesday next and made the special order immediately after the call of the morning hour.

S. B. 280, bill to amend chapter 104, Battle's Revisal, in relation to the employment and payment of laborers making and repairing public roads, on second reading.

Mr. Robins moved to indefinitely postpone.

Mr. Troy moved to lay upon the table.

The motion of Mr. Troy prevailed.

S. B. 106, bill to amend section 237, chapter 17, Battle's Revisal.

On motion of Mr. Bingham, it was indefinitely postponed.

H. R. 98, S. R. 380, resolution in relation to the jurisdiction of Justices of the Peace, was adopted.

S. B. 99, bill to incorporate Gideon's Relief, Brotherhood No. 1, of Fayetteville, on second reading and passed.

On motion of Mr. Troy, the bill was put upon its third reading.

Mr. Troy moved to amend:

Add to section 1, "and shall have jurisdiction through-



out the State, with authority to organize and grant charters to additional Lodges; and when not less than seven such Lodges are organized, the same may meet in convention and form a Grand Lodge of Gideon's Relief Brotherhood of North Carolina, with jurisdiction throughout the State, with exclusive authority to establish other subordinate Lodges for the objects and purposes of said Brotherhood;"

which was adopted.

Mr. Troy moved to amend:

Insert after the word "property," in section 1, the words "not exceeding three thousand dollars in value;"

which was adopted.

Bill then passed its third reading--yeas 31, noes 2, as follows:

*Affirmative*—Messrs. Askew, Bingham, Caho, Coke, Crawford, Cunningham, Dortch, Dunn Ferguson, Finger, Green, Graham, Heilig, Holt Hughes, Johnston, Latham, Mebane of Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Scales, Stewart, Thorne, Troy, Williams, York.—31.

*Negative*—Messrs. Bryant, Waddell.—2.

H. R. 79, S. R. 334, resolution directing the Public Treasurer to make a demand upon the receiver for construction bond-holders of North Carolina Railroad for interest on the construction bonds of said road owned by the State, on second reading.

Pending consideration, on motion of Mr. Stewart, the Senate adjourned.

## FORTY-SEVENTH DAY.

SENATE CHAMBER, Jan. 30th, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

Prayer by the Rev. Dr. Vaughan, of the city.

The journal of yesterday was read and approved.

Reports from Standing Committees were submitted as follows :

From Committee on State Debt,

By Mr. Cunningham : S. R. 38, resolution in favor of G. W. and B. K. Dickey, a majority recommending it do pass.

From committee on Judiciary,

By Mr. Scales : S. B. 423, bill to amend the law of divorce in sections 4 and 5, chapter 37, Battle's Revisal, recommending it do not pass.

By Mr. Coke : S. B. 415, bill concerning contested elections for members of the General Assembly, recommending it do pass.

By Mr. Bingham : S. B. 314, bill to amend chapter 101, Battle's Revisal, by adding another section thereto, recommending it do not pass ;

H. B. 275, S. B. 411, bill to repeal chapter 177, of the Private Laws of 1874-'75 recommending it do pass.

By Mr. Robins : S. B. 410, bill to authorize Registers of Deeds to administer oaths in certain cases, recommending it do not pass.

By Mr. Folk : S. R. 287, resolution in favor of the colored race, with accompanying substitute, reported adversely on the resolution, and submitted an amendment to the substitute, and as amended recommending it do pass.

From the committee on Engrossed Bills,

By Mr. York, as properly engrossed : S. B. 324, bill to incorporate the town of Denver, in the county of Lincoln.

S. B. 316, bill for the protection of buzzards in New Hanover and Pender counties.

Senate amendment in form of a substitute to H. B. 256, S. B. 284, bill to prevent the destruction of legal notices.

Message from the House of Representatives,

H. B. 324, S. B. 442, bill to amend section 2, chapter 152, Laws of 1871-'72. Referred to the committee on Judiciary.

H. B. 281, S. B. 443, bill providing a fund for the payment of jurors in the counties of Alleghany and Clay. Referred to the committee on Judiciary.

H. B. 346, S. B. 444, bill to incorporate Hunting Creek Lodge No. 299, F. A. M., in the county of Iredell. Referred to the committee on Corporations.

H. B. 354, S. B. 445, bill to re-enact an Act to run and establish the dividing line between the counties of Green and Wayne. Referred to the committee on Propositions and Grievances.

H. B. 328, S. B. 446, bill to authorize the commissioners of the county of Swain to levy a tax to build a bridge across Tuckaseegee River. Referred to the committee on Finance.

H. B. 315, S. B. 447, bill to authorize the county commissioners of Graham to levy a special tax. Referred to committee on Finance.

H. R. 311, S. R. 448, resolution in relation to the letter books of the Executive of North Carolina. Referred to committee on Finance.

House amendments to S. B. 229, H. B. 370, bill to prohibit the sale of spirituous liquors near Salem and Winston. Placed on the calendar.

Mr. Scales moved that a message be sent to the House of Representatives proposing that the General Assembly at 12 M. on Friday, the 2d February, proceed by joint ballot to the election of sixteen trustees of the University, which prevailed.



The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

By Mr. Williams: S. B. 449, bill to more effectually prevent discrimination in freight tariffs by railroad corporations operating in this State; referred to the Committee on Internal Improvements.

Ry Mr. Troy: S. B. 450, bill to appoint a special commission for the county of New Hanover; placed on the calendar.

By Mr. Moore of Mecklenburg: S. B. 451, bill to incorporate the Pioneer Fire Company, No. 2, of the city of Charlotte; referred to the Committee on Corporations.

By Mr. Robins: S. R. 452, resolution authorizing the Governor to offer a reward for the arrest of Filmore Crawford; referred, with accompanying petition, to the Committee on Propositions and Grievances.

By Mr. Scales: S. R. 453, resolution in favor of Peter Adams, Esq.; referred to Committee on Judiciary.

#### UNFINISHED BUSINESS

of yesterday was taken up, being

H. R. 79, S. R. 344, resolution directing the Public Treasurer to make a demand upon the receiver for construction bondholders of North Carolina Railroad for interest on the construction bonds of said road owned by the State, on third reading and passed, ayes 31, nays 0, as follows:

*Affirmative*—Messrs. Askew, Bingham, Bryant, Calhoun, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Green, Graham, Heilig, Holt, Johnston, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stewart, Thorne, Troy, Williams, Wynne, York—31.

*Negative*—0.

The following named bills and resolutions were acted upon as follows:

S. B. 67, bill to provide for the speedy completion of the Western North Carolina Railroad, came up as the special order for to-day, on its third reading.

Mr. Holt moved to amend:

Strike out in section 5, all of lines 1, 2, 3, 4, 5 and 6, and in line 7, to and including the word "same;" strike out the word "also" in line 7,

which was adopted.

On motion of Mr. Scales, the bill was considered by sections.

Section 1 was adopted.

Section 2, Mr. Holt moved to amend:

Strike out in line 24 the words "twelve hundred dollars."

By consent it was withdrawn.

Mr. Robinson moved to amend:

Insert in line 30, after word "services," the words "except actual expenses"

Lost.

Mr. Johnston moved to amend in line 31:

Strike out the word "the" and insert the words "that of."

Which was adopted.

As amended, the section was adopted.

Mr. Troy moved the following as an additional section:

"SECTION 3. That the directors on the part of the State shall provide for the apportionment of the private stock to the *bona fide* stockholders, who shall be entitled to the same

under the provisions of the Act ratified March 13th, 1875, and no private stockholders shall be entitled to vote in any meeting of said company until such apportionment is made, and neither shall any directors on the part of the individual stockholders participate in the meeting of said directory until they shall be legally appointed after the distribution of stock as above provided."

Which was adopted.

Section 4, Mr. Troy moved to amend :

Add after the word "convicts," in line 16, the following :  
"which labor shall be charged against said road by the State Treasurer, after deducting the average cost of maintaining them, and in no case shall be at a less amount than is provided for in section 8, of this Act,"

which was adopted.

Mr. Graham moved to amend :

Insert after the word "and," in line 3, "the Directors on the part of the State shall have,"

which was adopted.

Section 5, Mr. Scales moved to amend :

Insert after the word "may," in line 7, the word "not,"

which was adopted.

Section 6 was adopted.

Section 7, Mr. York moved to amend :

Strike out in line 14, "seventy thousand," and insert "fifty thousand."

Mr. Robinson asked a division of the question, and the



question recurring on the motion to strike out, it did not prevail.

Mr. York moved to amend :

Add at the end of the section : "*Provided*, The provisions of this section shall not extend beyond two years from the day of its ratification,"

which was lost, yeas 16, nays 19, as follows :

*Affirmative*—Messrs. Askew, Bingham, Cunningham, Dortch, Dunn, Heilig, Latham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Stewart, York—16.

*Negative*—Messrs. Bryant, Caho, Coke, Crawford, Ferguson, Finger, Folk, Green, Graham, Holt, Johnston, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Robinson, Thorne, Troy, Williams, Wynne—19.

Section 8, Mr. Scales moved to amend :

In line 10, after the word "road," insert the words "including such interest as heretofore has been or may hereafter be paid by the State on the mortgage bonds of said Company, and any and all expenses of whatever character, incurred heretofore or hereafter, in the completion and stocking of said road, and paid by the State ;"

which was adopted.

As amended, the section was adopted.

Section 9, Mr. Troy moved to amend :

Strike out in lines 6 and 7, all after the word "divided," down to and include "which," and insert the following : "one-fourth of which ;" also in line 9, strike out the word "other," and insert the word "balance,"

which was lost.

The section was adopted.

Sections 10 and 11 were adopted.

Section 12, Mr. Sandifer moved to amend so as to read as follows:

“SEC. 12. This Act shall be in force from and after the first day of May, 1877, and to the first day of May, 1879.”

Mr. Johnston moved to amend so as to read:

SEC. 12. This Act shall be in force from and after its ratification.”

Mr. Sandifer called for the ayes and noes, which was not sustained.

The amendment of Mr. Johnston was adopted.

As amended, section 12 was adopted.

Mr. Troy moved to amend section 9 by adding:

Provided the track on the Ducktown branch shall be constructed as a narrow-gauge road.

Which was lost.

The bill then passed its third reading, ayes 27, noes 8, as follows:

*Affirmative*—Messrs. Askew, Bingham, Bryant, Caho, Crawford, Dortch, Dunn, Ferguson, Finger, Folk, Green, Graham, Heilig, Holt, Hughes, Johnston, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robinson, Sandifer, Scales, Stewart, Thorne, Troy, Williams.—27.

*Negative*—Messrs. Coke, Cunningham, Latham, Mercer, Robins, Roberts, Wynne, York.—8.

Mr. Robinson moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table, which prevailed.

On motion of Mr. Holt, the Senate adjourned.

## FORTY-EIGHTH DAY.

SENATE CHAMBER, Jan. 31st, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

The journal of yesterday was read.

Reports from Standing Committees were submitted as follows:

From Committee on Finance,

By Mr. Holt: H. R. 87, S. R. 307, resolution relative to carpeting the office of the Principal Clerk of the House of Representatives, recommending it do pass.

By Mr. Troy: H. B. 325, S. B. 436, bill to authorize the county commissioners of Hyde county to levy a special tax, recommending it do pass.

By Mr. Robins: H. B. 339, S. B. 438, bill to levy a special tax in the county of Tyrrell, recommending it do pass.

By Mr. Graham: S. B. 412, bill to provide for the repairing of quarantine hospital at Smithville, recommending it do pass.

S. R. 430, resolution in favor of Thomas Hampson, a majority recommending it do pass.

From the Committee on Judiciary,

By Mr. Stewart: S. B. 419, bill to amend chapter 176, Laws of 1873-'74, entitled an Act to amend chapter 32, Battle's Revisal, &c., recommending it do pass.

From the Committee on the Insane Asylum,

By Mr. Stanford: S. B. 422, bill to amend Battle's Revisal, concerning lunatics, recommending it do pass.

Mr. Finger, chairman of the Committee on Education, to whom was referred that portion of the Governor's message relating to graded and normal schools for the education of both races in the State, submitted a report thereon, with a



recommendation, which was placed upon the Calendar.

From the Committee on Engrossed bills,

By Mr. York, as properly engrossed: S. B. 67, bill for the speedy completion of the Western North Carolina Railroad, &c.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State:

S. B. 244, H. B. 276, an Act to protect fish in the Waccamaw Lake, and the adjacent waters.

S. B. 20, H. B. 277, an Act to incorporate the First Ward Bucket Company No. 1, of Wilmington, N. C.

S. B. 98, H. B. 159, an Act to amend section 349, chapter 11, title 14, of the Code of Civil Procedure.

S. B. 405, H. B. 338, an Act to change the times for holding the Superior Courts of Pamlico county.

H. R. 95, S. R. 337, resolution empowering the Governor to employ clerical assistance in his office.

H. B. 204, S. B. 283, an Act in relation to larceny of money.

H. B. 263, S. B. 345, an Act for the removal of road exemptions in the county of Clay.

H. B. 208, S. B. 305, an Act to prevent wilful interference with the water supply of the Western North Carolina Insane Asylum.

H. R. 26, S. R. 193, resolutions concerning the relations between the white and colored people of the State.

H. B. 333, S. B. 397, an Act to amend an Act entitled an Act to regulate the times of holding the terms of the Superior Court of Cumberland county, ratified 12th December, 1874.

S. B. 16, H. B. 269, an Act to incorporate Laborers' Union of Wilmington, N. C.

H. B. 250, S. B. 346, an Act to submit the question of sale of spirituous liquors to the qualified voters of Carthage township, in the county of Moore, etc.

S. B. 126, H. B. 298, an Act to drain Lower Creek, in Burke and Caldwell counties.

S. B. 211, H. B. 255, an Act to incorporate Winston Baptist Church, in the town of Winston.

S. B. 240, H. B. 296, an Act to establish an additional township in the county of Chowan.

S. B. 258, H. B. 295, an Act to amend chapter 63, section 15, Battle's Revisal.

H. B. 157, S. B. 204, an Act to amend an Act entitled an Act to incorporate the Farmers', Mechanics' and Laborers' Union Aid Association of New Hanover.

S. R. 406, H. R. —, resolution in favor of the bill now before Congress for counting the electoral vote.

Messrs. Johnston and Dunn were appointed to act temporarily upon the Committee on Enrolled Bills.

Message from the House of Representatives:

H. R. 108, S. R. 454, resolution to inquire into the disposition of the funds derived from the stock of the State in the North Carolina Railroad; referred to the Committee on Finance.

Also calling for bills which should have, but had not, been transmitted to that honorable body.

Announcing the concurrence of the House in the proposition of the Senate to go into an election of Trustees of the University at the time designated, but amending by inserting twenty trustees for sixteen.

The amendment was concurred in.

The following named bills and resolutions were introduced, read, and passed first time, and were referred or otherwise disposed of, as follows:

S. B. 455, bill to protect more effectually the farmers of North Carolina from imposition in the purchase of fertilizers. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Caho: S. B. 456, bill to re-enact section 9, chap-

ter 111, Battle's Revisal. Referred to the Committee on Judiciary

By Mr. Troy : S. B. 457, bill to provide for the annual collection and publication of statistics of the agricultural products and resources of the State. Referred to the Committee on Agriculture, Mechanics and Mining.

By Mr. Mebane of Rockingham : S. B. 458, bill to provide for an Inferior Court in the several counties of the State, to be styled the Court of Special Pleas.

On motion of Mr. Ferguson, it was ordered to be printed and placed upon the calendar.

By Mr. Folk : S. B. 459, bill to establish and construct the Western Insane Asylum. Referred to Committee on Insane Asylum ;

S. B. 460, bill to give widows further time to dissent from their husbands' wills. Referred to the Committee on Judiciary.

By Mr. Robinson : S. B. 461, Resolution in favor of the "News Publishing Company." Referred to the Joint Committee on Printing.

By Mr. Moore of New Hanover : S. B. 462, bill to annex Egle's and Smith's Islands to the county of New Hanover. Referred to the Committee on Propositions and Grievances.

The following named bills and resolutions were acted upon as follows :

H. B. 169, S. B. 282, bill to prohibit the sale of liquors within one mile of King's Mountain High School, Cleveland county, on third reading.

Mr. Sandifer moved to amend :

Strike out in the last line, section 2, the words "one month," and insert "thirty days,"

which was adopted.

Mr. Green moved to amend :



Strike out from and including "within," in the 4th line, to and including the word "county" in the 7th line, and insert the word "in" before "North," in the 7th line.

Mr. Stewart called the previous question, which was sustained.

Mr. Green called the yeas and nays, which were ordered, and the amendment was lost, yeas 2, nays 32, as follows:

*Affirmative*—Messrs. Green, Thorne—2.

*Negative*—Messrs. Askew, Bingham, Bryant, Calhoun, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Latham, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Troy, Williams, Wilson, Wynne, York—32.

Bill then passed its third reading, yeas 33, nays 3, as follows:

*Affirmative*—Messrs. Askew, Bingham, Bryant, Calhoun, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Thorne, Troy, Williams, Wilson, York—33.

*Negative*—Messrs. Green, Moore of New Hanover, Wynne.—3.

Mr. Standford asked and obtained permission to record his vote in the affirmative on S. B. 67, bill to provide for the speedy completion of the Western North Carolina Railroad.

The same courtesy was granted to Mr. Moore of New Hanover.

Senate Bill 348, bill to revise and consolidate the public school law, was taken up on its second reading, it being the special order for that day.

Upon motion of Mr. Dortch, the bill was considered by sections.

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 were adopted.

Section 14, Mr. Dortch moved to amend:

Strike out in line 2, the word "one," and insert the word "three;" and in line 4, insert after the word "examiners" the words "one of whom shall be designated chairman;"

which were lost.

Section 14 was adopted.

Section 15, Mr. Graham moved to amend:

Insert after the word "October," in line three, the words "and April."

Mr. Robins moved to substitute the word "July" in place of "April," which was adopted.

Mr. Robinson moved to strike out "July" and insert "August," so as to read "August and October," which was adopted.

Mr. Stewart moved to strike out "October."

Lost.

Mr. Troy moved to amend:

Insert after "shall," in line 22, the words "notify the Board of Education, who may;" and strike out all after the word "certificate," in line 23,

which were adopted.

Section 15, as amended, was adopted.

Section 16, Mr. Sandifer moved to amend:

In line 5, after the word "number," insert the word "grade,"

which was adopted, and thus amended, section 16 was adopted.

Upon motion of Mr. Scales, Hon. David Schenck, Judge of the 9th Judicial District, was invited to a seat on the floor of the Senate.

The consideration of S. B. 348 was resumed.

Section 17, Mr. Finger moved to strike out the word "in," line 1, and insert the word "for."

Adopted.

Mr. Robins moved to amend :

In lines 2 and 3, strike out the words "the county Board of Education of the respective counties," and insert instead thereof the words "the qualified voters of the respective school districts,"

upon which he called the yeas and nays.

Mr. Finger called the previous question, which was sustained.

The yeas and nays were ordered, and the amendment was lost, yeas 6, nays 24, as follows :

*Affirmative*—Messrs. Dunn, Moore of New Hanover. Robins, Robinson, Roberts, Thorne.—6.

*Negative*—Messrs. Bingham, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Latham, Mebane of Rockingham, Mercer, Nicholson, Sandifer, Scales, Standford, Stewart, Troy, Williams, Wilson, York.—24.

Section 17, as amended, was adopted.

Sections 18, 19, 20, 21, 22, 23, 24 and 25 were adopted.

Section 26, Mr. Graham moved to amend :

In line 26, after the word "used," insert "and all persons whose names are not on such books, who are qualified, shall be allowed to register as provided in elections for members of the General Assembly."



Which was adopted.

Mr. Wilson moved to amend :

In line 27, after the word "as," insert the word now ; after the word "provided" insert the words "by law," and strike out the word "annual" and insert the word "other."

Which was adopted.

Section 26, as amended, was adopted.

Section 27, Mr. Sandifer moved to amend :

Add before the word "month," in line 10, the word "school," and after the same word "month" add the words "which shall be twenty-one days."

Mr. Troy moved to amend the amendment :

Strike out the word one.

Adopted.

Mr. Sandifer's amendment as amended, was adopted.

Section 27, as amended, was adopted.

Sections 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38 were adopted.

Section 39, Mr. Bingham moved to amend :

Strike out in line 6, the words "eight and one-third cents," and insert "ten cents."

Lost.

Section 39 was adopted.

Sections 40, 41, 42 and 43 were adopted.

Section 44, Mr. Robins moved to amend :

In line 3, strike out the word "three," and insert the word "two,"

which, upon division, was lost.

The section was adopted.

Sections 45 and 46 were adopted.

Section 47, Mr. Mebane of Rockingham moved to amend :

Strike out all of the section, and insert instead, "all laws and clauses of laws, and all provisions of article 7 of the Constitution, inconsistent with this Act, are hereby abrogated and repealed,"

which was adopted ; and, as amended, the section was adopted.

Section 48 was adopted.

Question recurring upon the passage of the bill on its second reading,

Mr. Troy moved to amend section 23, by adding :

"The Board of Education shall adjust all differences that may arise in the division of districts, as herein provided as to ownership of school houses, or other property belonging to school districts, or townships as now constituted ;"

which was adopted.

Mr. Robinson moved to amend section 37, by adding the following proviso :

" *Provided*, That nothing in this section shall prevent the commissioners in any county in the State from authorizing the sheriff or tax collectors to receive school vouchers in payment of taxes due the county, which vouchers shall be received by the County Treasurer."

Mr. Troy moved to amend the amendment, by adding thereto :

“But said commissioners shall allow on such vouchers only the amount the teacher to whom it was issued received for the same;”

which was lost.

The amendment offered by Mr. Robinson was lost.

The bill then passed its second reading—yeas 25, noes 4, as follows:

*Affirmative*—Messrs. Askew, Bingham, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Graham, Holt, Johnston, Latham, Mebane of Rockingham, Mercer, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Thorne, Troy, Wilson, York.—25.

*Negative*—Messrs. Dunn, Green, Moore of New Hanover, Wynne.—4.

On motion of Mr. Scales, the rules were suspended and the bill was put upon its third reading; and

Upon his further motion, it was postponed until to-morrow morning and made the special order for the hour immediately following the morning hour.

Leave of absence was granted Mr. Mebane of Bertie for three days, from and including to-day.

On motion of Mr. Holt, the Senate adjourned.

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#### FORTY-NINTH DAY.

SENATE CHAMBER, Feb. 1st, 1877.

The Senate met pursuant to adjournment.

Lieut. Gov. Jarvis in the chair.

Prayer by the Rev. Dr. Patterson, of Wilmington.



The Journal of yesterday was read and approved.

PETITIONS AND MEMORIALS.

By Mr. Standford: Petition from citizens of Wilmington, referred to the Committee on Propositions and Grievances.

By Mr. Scales: Petition from the citizens of Guilford, referred to the Committee on Judiciary.

Leave of absence was granted to Mr. Green, indefinitely.

Reports from Standing Committees were submitted, as follows:

From Committee on Engrossed Bills,

By Mr. York, as properly engrossed: S. B. 317, bill to amend chapter 17, sub-chapter 3, of Battle's Revisal.

S. B. 99, bill to incorporate Gideon's Relief Brotherhood Lodge, No. 1, of Fayetteville.

Senate amendment to H. B. 169, S. B. 282, bill to prohibit the sale of liquors within one mile of King's Mountain High School, Cleveland county.

From Committee on Corporations,

By Mr. Albright: S. B. 220, bill to amend the charter of the town of Salem, in the County of Forsythe, recommending it do pass.

By Mr. Nicholson: S. B. 451, bill to incorporate the Pioneer Fire Insurance Company, No. 2, of the city of Charlotte, reporting an amendment, and as amended, recommending it do pass.

By Mr. Thorne: H. B. 346, S. B. 444, bill to incorporate Hunting Creek Lodge, No. 299, F. A. M., in the county of Iredell, recommending it do pass.

By Mr. Scales: S. B. 404, bill to incorporate the South Fork Bridge Company, in Ashe county, recommending it do pass.

House substitute for H. B. 114, S. B. 176, bill to incorporate the town of Laurinburg, in the county of Richmond, recommending the said substitute do pass.

By Mr. Nicholson: H. B. 330, S. B. 439, bill to incorporate the town of Cleveland Mills, in the county of Cleveland, recommending it do pass.

By Mr. Crawford: H. B. 292, S. B. 401, bill to incorporate King's Mountain Baptist Female Seminary, at Shelby, North Carolina, recommending it do pass.

From the Committee on Judiciary,

By Mr. Coke: S. B. 388, bill to amend chapter 72, Battle's Revisal, recommending it do not pass.

By Mr. Wilson: S. R. 453, resolution in favor of Peter Adams, Esq., recommending its reference to the Committee on Claims.

S. B. 432, bill to amend section 3 of chapter 93, Laws of 1868-'69, and brought forward in sections 1 and 2, chapter 17, Battle's Revisal, in relation to divorce, recommending it do not pass.

By Mr. Ferguson: H. B. 281, S. B. 443, bill providing for a fund for the payment of Jurors in the counties of Alleghany and Clay, recommending it do pass.

By Mr. Bingham: S. B. 321, bill to extend the jurisdiction of Justices of the Peace, recommending it do pass.

By Mr. Stewart: S. B. 368, bill to regulate proceedings against owners of mill dams for injuries done by them, recommending it do pass.

Message from the House of Representatives:

H. B. 353, S. B. 463, bill to authorize the commissioners of Washington county to raise a special tax, and for other purposes, referred to the Committee on Finance.

H. B. 329, S. B. 464, bill to incorporate the United Order of Brothers and Sisters of Love and Charity, referred to the Committee on Corporations.

H. B. 368, S. B. 465, bill to secure the better drainage of the low lands of the South Yadkin River, in the county of Alexander. Referred to the Committee on Agriculture, Mechanics and Mining.

H. B. 393, S. B. 468, bill to empower the commissioners

of Chatham county to appoint a tax collector to collect arrears of taxes. Placed upon the calendar.

H. R. 114, S. R. 466, resolution to investigate the affairs of the office of the Adjutant General. Placed upon the calendar.

H. B. 385, S. B. 467, bill to incorporate the Bynum Manufacturing Company, in the county of Chatham. Referred to the Committee on Corporations.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

By Mr. Dortch: S. B. 469, bill to authorize the Commissioners of Wayne county to appoint a finance committee, referred to the Committee on the Judiciary.

By Mr. Green: S. B. 470, bill to abolish the county of Pamlico, referred to the Committee on the Judiciary.

By Mr. Mebane of Rockingham: S. B. 471, bill to amend section 138, chapter 32, Battle's Revisal, so as to increase the punishment for speculating in county claims by county officials, their deputies, agents or employees, referred to the Committee on Judiciary.

By Mr. Nicholson: S. B. 472, bill to establish normal schools, referred to the Committee on Finance.

At his request, Mr. Scales was excused from serving upon the Joint Select Committee appointed under H. R. 98, S. R. 380, resolution in relation to jurisdiction of Justices of the Peace, and Mr. Wilson was appointed in his stead.

Upon motion of Mr. Wilson, House amendment to S. B. 229, H. B. 370, bill to prohibit the sale of spirituous liquors near Salem and Winston, was taken up; and

Upon his further motion, the Senate refused to concur in the House amendments.

By permission, Mr. Scales, from the Committee on Corporations, reported H. B. 345, S. B. 467, bill to incorporate Bynum Manufacturing Company in the county of Chatham, recommending it do pass.



S. B. 348, bill to revive and consolidate the public school law, came up upon its third reading, at 12 M., it being the special order for that hour.

Mr. Graham moved to amend:

Strike out in line 10, section 32, the word "December," and insert the word "February,"

which was lost.

Mr. Troy moved to amend:

Strike out in line 3, section 15, the word "first," and insert the word "second,"

which was adopted.

Mr. Dunn moved to amend:

Strike out in section 15, the "first Thursday in August and October," and insert the "first Thursday in July and January."

Lost.

Mr. Mebane called the previous question upon the passage of the bill on its third reading, which was sustained, and the bill passed on its third reading, yeas 27, nays 8, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Cahoe, Coke, Crawford, Cunningham, Dortch, Ferguson, Folk, Graham, Heilig, Holt, Johnston, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robins, Robinson, Roberts, Sandifer, Scales, Stewart, Short, Williams, York—27.

*Negative*—Messrs. Dockery, Dunn, Green, Hughes, Mabson, Moore of New Hanover, Thorne, Wynne—8.

On motion of Mr. Graham, S. R. 245, resolution in favor of Petersburg Railroad Company, was taken up, and on his

further motion it was referred to the Committee on Judiciary.

On motion of Mr. Graham, leave of absence was granted Lieutenant-Governor Jarvis, for two weeks from to-day, and upon his further motion the Senate proceeded to elect a President *pro tem*.

Mr. Graham nominated Mr. Robinson

The following is the vote :

FOR MR. ROBINSON—Messrs. Albright, Askew, Bingham, Caho, Coke, Cunningham, Dortch, Dockery, Dunn, Ferguson, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Rockingham, Mercer, Robins, Sandifer, Scales, Stewart, Short, Thorne, Williams, Wynne—27.

Mr. Crawford and Mr. Robinson voted for Mr. Graham.

Mr. Green and Mr. Mabson voted for Mr. Dockery.

Mr. Moore of New Hanover voted for Mr. Folk.

Mr. York voted for Mr. Bingham.

Mr. Robinson was declared to be President *pro tempore* of the Senate during the absence of the Lieutenant-Governor.

Leave of absence was granted Mr. Finger until next Wednesday.

On motion of Mr. Albright, H. B. 393, S. B. 468, bill to empower the commissioners of Chatham county to appoint a tax collector to collect arrears of taxes, was taken up, and upon his further motion it was referred to the Committee on Judiciary.

On motion of Mr. Askew, S. B. 85, bill to repeal an Act of 1873-'74, chapter 137, so far as it relates to Jones county, was taken up, and Mr. Standford moved to postpone until Tuesday next.

Mr. Moore of New Hanover moved it be postponed until the twelfth of February.

Mr. Green moved it be immediately considered.

The motion of Mr. Standford prevailed.

The following named bills and resolutions were acted upon as follows:

S. B. 408, bill entitled an Act on County Government, on second reading, it being the special order for to-day.

Mr. Moore of New Hanover moved to postpone until the twelfth day of February, inst.

Lost.

On motion of Mr. Coke, the bill was considered by sections.

Mr. Folk moved to amend by adding the following as section first:

SECTION 1. Every county is a body politic and corporate, and shall have the powers prescribed by statute and those necessarily implied by law, and no other."

Which was adopted.

Section 2, Mr. Askew moved to strike out the word "surveyor."

Lost.

Mr. Albright moved to amend:

"*Provided*, a majority of the Justices of the Peace in any county may abolish the office of county surveyor."

Which was lost.

Section 2 was then adopted.

Section 3, Mr. Coke moved to amend by substituting for section 3 the following:

"SECTION 3. The townships heretofore created or hereafter established shall be distinguished by well defined boundaries, and may be altered, and additional townships created, by the board of county commissioners, as hereinafter provided; but no township shall have or exercise any corporate powers whatsoever, unless allowed by act of the General Assembly to be exercised under the supervision of the board of county commissioners."

Which was adopted.



Mr. York moved to amend:

Strike out "township" wherever it occurs and insert "district."

Lost.

Mr. Askew moved to strike out "township" and insert "precinct."

Lost.

Section 3, as amended, was adopted.

Section 4, Mr. Moore of New Hanover moved to amend:

Strike out the first line and so much of the second to and including the word "assembly" and insert, "the Justices of the Peace shall be elected by the people, as now required by law."

Upon which he called the ayes and noes.

Mr. Askew moved to amend:

Insert after the word "court" in line 23, the words, "that the clerk shall fill the appointment by a person or persons of the same political party of the one whose vacancy is to be filled."

Mr. Coke offered the following as a substitute for the amendment of Mr. Askew:

Strike out all of section 4 after the word "before" in line twenty.

Which was adopted.

The ayes and nays were ordered upon the amendment offered by Mr. Moore of New Hanover, and the amendment was lost, ayes 11, noes 26, as follows:

*Affirmative*—Messrs. Bryant, Dockery, Dunn, Green,

Hughes, Moore of New Hanover, Robins, Roberts, Thorne, Wynne—11.

*Negative*—Messrs. Albright, Askew, Bingham, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Folk, Graham, Heilig, Holt, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Sandifer, Scales, Standford, Stewart, Short, Williams, Wilson, York—26.

Section 4, as amended, was then adopted.

Mr. Dunn moved to adjourn.

Lost.

Section 5 was considered.

Mr. Mebane of Rockingham moved to amend:

Add as a proviso, "*Provided*, however, that the Board of Commissioners shall not have power to levy taxes, to purchase real property, to remove or designate new sites for county buildings the cost whereof may exceed \$1,000, to borrow money for the necessary expenses of the county, without the concurrence of a majority of the Justices of the Peace sitting with them; and for the purposes embraced in this proviso, the Justices of the Peace of the county shall meet with the Board of Commissioners on the first Monday in August, 1878, and annually thereafter. But for such services the Justices of the Peace shall receive no compensation."

Mr. Holt moved to amend the amendment:

Strike out "\$1,000," and insert "\$2,000," which was accepted.

The amendment of Mr. Mebane was then adopted.

Mr. Robins moved to amend:

Strike out in line six, at the beginning of the bill, the

words "not less than;" and in the same line, after the word "three," the words "nor more than five."

Mr. Green moved to adjourn, upon which he called for the yeas and noes, which being ordered, the Senate refused to adjourn—yeas 9, noes 27, as follows:

*Affirmative*—Messrs. Bryant, Dockery, Dunn, Folk, Green, Hughes, Mabson, Thorne, Wynne—9.

*Negative*—Messrs. Albright, Askew, Bingham, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Graham, Heilig, Holt, Johnston, Latham, Mebane of Rockingham Moore of Wecklenburg, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Williams, Wilson, York—27.

The amendment offered by Mr. Roberts was lost:

Mr. Mebane of Rockingham moved to amend:

Add, "*Provided*, That the Register of Deeds shall be *ex officio* clerk of the Board of Commissioners,"

which was adopted.

Section 5, as amended, was adopted.

Section 6:

Mr. Mabson moved to adjourn, upon which

Mr. Green called the yeas and nays, which were ordered, and the Senate refused to adjourn, yeas 7, nays 26, as follows:

*Affirmative*—Messrs. Bryant, Dockery, Dunn, Green, Hughes, Mabson, Thorne, Wynne—7.

*Negative*—Messrs. Albright, Askew, Bingham, Caho, Coke, Crawford, Cunningham, Dortch, Graham, Heilig, Holt, Johnston, Latham, Mebane of Rockingham, Mercer, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Williams, Wilson, York—26.

Mr. Moore of New Hanover moved to refer the whole



matter to the Committee on Judiciary, upon which he demanded the yeas and nays.

The Senate refused to order the yeas and noes, and the motion to refer did not prevail.

Mr. Green moved to adjourn.

Lost.

Mr. Dunn offered to amend:

Strike out all after the word "existing," in line 3,

upon which he called for the yeas and nays, which being ordered, the amendment was lost, yeas 8, nays 25, as follows:

*Affirmative*—Messrs. Bryant, Dockery, Dunn, Green, Mabson, Moore of New Hanover, Thorne, Wynne—8.

*Negative*—Messrs. Albright, Askew, Bingham, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Graham, Heilig, Holt, Mebane of Rockingham, Moore of Mecklenburg, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Williams, Wilson, York—25.

Section 6 was adopted.

Mr. Moore of New Hanover moved to adjourn, upon which he called for the yeas and noes.

The Senate refused to order the yeas and noes, and the motion to adjourn was lost.

Section 7, Mr. Dunn moved to strike out Section 7, upon which he called the yeas and noes, which were ordered, and the motion did not prevail; yeas 7, noes 25, as follows:

*Affirmative*—Messrs. Dockery, Dunn, Green, Hughes, Mabson, Moore of New Hanover, Thorne—7.

*Negative*—Messrs. Albright, Askew, Bingham, Caho, Crawford, Cunningham, Dortch, Ferguson, Heilig, Holt, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Williams, Wilson, York—25.

Mr. Coke offered the following substitute for section 7 :

“Section 7. All the provisions of article 7 of the Constitution inconsistent with this Act (except those contained in sections seven, nine and thirteen, are hereby abrogated, and the provisions of this Act substituted in their place.”

Upon which Mr. Green called the ayes and nays, which were ordered, and the amendment, in the nature of a substitute, was adopted, ayes 26, noes 10, as follows :

*Affirmative*—Messrs. Albright, Askew, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Graham, Heilig, Holt, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Williams, Wilson, York.—26.

*Negative*—Messrs. Bingham, Bryant, Dockery, Dunn, Green, Hughes, Mabson, Moore of New Hanover, Thorne, Wynne—10.

Section 7 was then adopted.

Section 8, Mr. Dockery moved to amend by substituting the following :

“This Act shall take effect from and after the first day of January, 1880.

Lost.

Section 8 was adopted.

Mr. Standford called the previous question upon the passage of the bill on its second reading, which was sustained.

Mr. Green called for the ayes and nays upon the passage of the bill on its second reading, which were ordered, and the bill passed, ayes 24, noes 11, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Graham, Heilig, Holt, Latham, Mebane of Rockingham, Mercer, Robinson, Sandifer, Scales, Standford, Stewart, Short, Williams, Wilson, York—24.

*Negative*—Messrs. Bryant, Dockery, Dunn, Green, Hughes, Mabson, Moore of New Hanover, Robins, Roberts, Thorne, Wynne—11.

Mr. Robinson moved to adjourn, which prevailed.

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## FIFTIETH DAY.

SENATE CHAMBER, Feb. 2d, 1877.

The Senate met pursuant to adjournment.

Mr. Robinson, President *pro tempore*, in the chair.

Prayer by the Rev. Mr. Norman, of the city.

The Journal of yesterday was read.

### PETITIONS AND MEMORIALS.

By Mr. Green: Petition from certain citizens of Pamlico. Referred to Committee on Propositions and Grievances.

By Mr. Wilson: From certain citizens of Davidson county. Referred to Committee on Propositions and Grievances.

Reports from Standing Committees were submitted, as follows:

From Committee on Engrossed Bills,

By Mr. York, as correctly engrossed: S. B. 348, bill to revise and consolidate the Public School Law.

From the Committee on Propositions and Grievances,

By Mr. Dortch: S. B. 462, bill to annex Eagle's and Smith's Islands to the county of New Hanover, recommending that it do not pass.

S. B. 428, bill to require the county commissioners of Jones and Lenoir counties to run and mark a portion of



the boundary line between said county, recommending it do pass.

S. R. 452, resolution authorizing the Governor to offer a reward for the arrest of Tilman Crenford, recommending it do pass.

S. B. 292, bill for the benefit of the farmers in Murphey's Swamp and Carver's Neck, Rockfish Township, in the county of Cumberland, recommending it do pass.

By Mr. Albright: S. B. 273, bill in relation to sale of liquors near Cedar Creek Church, in Anson county, recommending it do pass.

H. B. 190, S. B. 267, bill to prohibit the sale of intoxicating liquors within two miles of Waynesville Academy, in the county of Haywood, recommending it do pass.

S. B. 302, bill for the encouragement of watering places, recommending it do not pass.

S. B. 249, bill to prevent the sale of intoxicating liquors within two miles of certain churches in Granville county, recommending it do pass.

By Mr. Roberts: S. B. 261, bill to prohibit the sale of spirituous liquors within three miles of certain churches in Gold Hill, Rowan county, recommending it do pass.

H. B. 266, S. B. 434, bill to prohibit the sale of intoxicating liquors within two miles of Donaldson Academy, outside of the town of Fayetteville, recommending it do pass.

By Mr. Bingham: S. B. 227, bill to prohibit the sale of spirituous liquors within two miles of McKendre's Chapel, Methodist Episcopal Church, South, in the county of Iredell, recommending it do pass.

S. B. 222, bill for the preservation of mocking birds, recommending it do not pass.

S. B. 230, bill to prohibit the sale of spirituous liquors within two miles of Morrow's Chapel, Colored Methodist Church, in the county of Iredell, recommending it do pass.

H. B. 248, S. B. 334, bill to prevent and punish the sale

of spirituous liquors within two miles of the Court-house in the town of Webster, recommending it do pass.

From the Committee on Corporations.

By Mr. Thorne: H. B. 329, S. B. 464, bill to incorporate the United Order of Brothers and Sisters of Love and Charity, recommending it do pass.

By Mr. Scales: H. B. 273, S. B. 433, bill to incorporate the Currituck Shooting Club, recommending it do pass.

By Mr. Crawford: S. B. 403, bill to incorporate the Trustees of Lincoln Academy, Pender county, reporting certain amendments, and as amended, recommending it do pass.

From the Committee on Claims,

By Mr. Heilig: S. B. 416, bill in relation to contestants recommending it do not pass.

By Mr. Caho, H. B. 284, S. B. 399, bill concerning the purchase of stationery, recommending it be referred to the Committee on Penal Institutions, and the bill was so referred.

From the Committee on the Judiciary,

By Mr. Stewart: H. B. 324, S. B. 442, bill to amend section 2, chapter 152, laws of 1871-'72, reporting certain amendments, and as amended, recommending it do pass.

By Mr. Folk: H. B. 293, S. B. 468, bill to empower the commissioners of Chatham county to appoint a tax collector to collect the arrears of taxes, recommending it do pass.

By Mr. Ferguson: H. R. 100, S. R. 397, resolution in regard to the sale of the Governor's Mansion, recommending it do pass;

S. R. 295, resolution of instruction to the Keeper of the Capitol, recommending it do pass;

H. R. 95, S. R. 398, resolution authorizing a sale of the State Arsenal, at Fayetteville, recommending it do pass.

The following named bills and resolutions were introduced, read, and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Dortch: S. B. 473, bill to create a township in



the county of Craven, to be known as Stoney Creek Township. Referred to the Committee on Corporations.

By Mr. Thorne: S. R. 471, resolution declaratory of the equality before the law of the white and colored races. Placed upon the calendar.

By Mr. Folk: S. R. 475, resolution concerning alleged frauds on the State in the keeping of lunatics in the several counties of the State. Placed upon the calendar.

By Mr. Johnston: S. B. 476, bill to incorporate the Orphans' Home of Western North Carolina. Referred to the Committee on Corporations.

By Mr. Stewart: S. B. 477, bill to incorporate the Black River Navigation Company, referred, with accompanying petition, to the Committee on Corporations.

Mr. Thorne asked that S. R. 474, resolution declaratory of the equality before the law of the white and colored races, introduced by himself this morning, be printed.

The Senate refused to print.

Leave of absence was granted to Mr. Robins for one week from and after to-morrow.

To Mr. Sandifer until Tuesday next.

To Messrs. Stewart and Nicholson till Tuesday next,

To Mr. Dortch for to-morrow, and

To Mr. Justice indefinitely, on account of sickness in his family.

The following named bills and resolutions were acted on as follows:

H. B. 385, S. B. 467, bill to incorporate the Bynum Manufacturing Company, in the county of Chatham, was, upon motion of Mr. Albright, taken up on its second reading and passed, and upon his further motion, the bill was put upon its third reading and passed, yeas 35, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Folk, Green, Graham, Heilig, Holt, Johnston, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg,



Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne and York—35.

*Negative*—0.

S. B. 350, bill to farm out convicts to labor on a railroad leading to Rutherfordton, in the county of Rutherford, was taken up on its second reading, it being the special order for to-day.

On motion of Mr. Sandifer, it was postponed till Thursday next, 8th inst., at eleven o'clock, and made the special order for that hour.

S. B. 250, bill to establish an industrial and educational college for the colored youth of both sexes, was taken up on its second reading, it being the special order for to-day.

On motion of Mr. Thorne, it was postponed until Tuesday next, at 12 M.

S. B. 82, bill for the improvement and reclamation of certain swamp lands in Onslow and other counties, was taken up as special order.

The question recurred upon the motion of Mr. Liles to reconsider the vote by which the bill failed to pass its third reading.

On motion of Mr. Standford, the matter was postponed till Friday next, at 12 M., and made the special order for that hour.

On motion of Mr. Folk, the rules were suspended and S. B. 326, bill to change the time of holding the Superior Courts of the 10th Judicial District, was taken up upon its second reading and passed, and upon his further motion, it was put upon its third reading and passed, yeas 37, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Folk, Green, Graham, Heilig, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robins, Robinson, Roberts, Sandifer,

Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne, York—37.

*Negative*—0.

On motion of Mr. Folk, it was sent to the House of Representatives without engrossment.

On motion of Mr. Mebane of Rockingham, S. B. 173, bill in relation to the probate of deeds and conveyances, and the privy examination of married women, was taken up on its second reading, and, on his further motion, it was postponed until Wednesday next, at 11 A. M., and made the special order for that hour.

On motion of Mr. Sandifer, the rules were suspended, and S. B. 234, bill to regulate the terms of the Superior Courts for the ninth Judicial District of North Carolina, was taken up on its second reading.

On his further motion, it was postponed until Wednesday next, at 12 M., and made the special order for that hour.

On motion of Mr. Coke, the rules were suspended and H. B. 207, S. B. 309, bill to amend Battle's Revisal, chapter 104, section 26, was taken up on its second reading, and on his further motion, it was postponed until to-morrow at 12 M., and made the special order for that hour.

On motion of Mr. Albright, the rules were suspended and H. B. 393, S. B. 468, bill to empower the Commissioners of Chatham county to appoint a tax collector to collect arrears of taxes, was taken up on its second reading and passed, and upon his further motion, it was put upon its third reading and passed, yeas 31, nays 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Caho, Coke, Cunningham, Dortch, Dockery, Dunn, Ferguson, Graham, Heilig, Holt, Johnston, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robins, Robinson, Roberts, Sandifer, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, York—31.

*Negative*—Messrs. Bryant, Latham, Wynne—2.



On motion of Mr. Troy, the rules were suspended and S. B. 422, bill to amend Battle's Revisal concerning lunatics, was taken up and passed its second reading.

It was then put upon its third reading and, upon motion of Mr. Cunningham, it was postponed till to-morrow at 12:30 o'clock.

Message from the House of Representatives:

House amendment to S. B. 313, H. B. 349, bill to legalize the Reddie's River township, in Wilkes county.

On motion, the Senate concurred in the amendment and the bill was ordered enrolled for ratification.

At 12 M., the hour for the special order having arrived, being the election of twenty trustees for the University,

On motion of Mr. Holt, the Senate went first into the election of four trustees to fill the vacancies created by the deaths of Hon. W. A. Graham, of Orange, E. W. Jones, Esq., of Caldwell, Col. John D. Hyman, of Henderson, and S. H. Walkup, Esq., of Anson; and that gentleman placed in nomination for the positions, in the order in which they are named, Hon. John W. Graham, of Orange, Col. G. N. Folk, of Caldwell, Hon. J. L. Robinson, of Macon, and Hon. Thos. S. Ashe, of Anson, and, on his further motion, a message was sent to the House of Representatives informing that body of this proposition and of the names of the gentlemen placed in nomination.

Messrs. Standford and Dockery were appointed tellers on the part of the Senate.

A message was also sent to the House of Representatives informing that body of the names of various gentlemen who had been nominated in the Senate for trustees of the University.

The Senate then proceeded by a *viva voce* vote to ballot for the four trustees, with the following result:

FOR MR. GRAHAM—Messrs. Albright, Askew, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Folk, Heilig, Holt, Hughes, Johnston,



Latham, Liles, Mabson, Mebane of Rockingham, Mercer, Robins, Robinson, Roberts, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, York.—36.

FOR MR. FOLK—Messrs. Albright, Askew, Bingham, Bryant, Cahoon, Coke, Crawford, Cunningham, Dortch, Dockery, Ferguson, Graham, Heilig, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Robins, Robinson, Roberts, Scales, Standford, Stewart, Short, Troy, Waddell, Williams, Wilson, York—34.

FOR MR. ROBINSON—Messrs. Albright, Askew, Bingham, Bryant, Cahoon, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mabson, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Robins, Roberts, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, York—37.

FOR MR. ASHE—Messrs. Albright, Askew, Bingham, Cahoon, Coke, Crawford, Cunningham, Dortch, Ferguson, Graham, Heilig, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robins, Robinson, Roberts, Scales, Standford, Stewart, Short, Troy, Waddell, Williams, Wilson, York—31.

Messrs. Bryant and Mabson cast a vote each for Mr. Russell.

Messrs. Dunn, Hughes and Mabson cast a vote each for Mr. Green.

Messrs. Hughes and Thorne cast a vote each for T. L. Hargrove.

Mr. Robinson cast one vote for Mr. Thos. Sparrow.

Mr. Thorne cast one vote for Mr. G. A. Foot.

Mr. Moore of New Hanover cast one vote each for Mr. M. S. Robins and Adam Empie.

On motion of Mr. Robinson, the Senate went into a com-

mittee of the whole, to nominate sixteen additional trustees of the University.

The committee of the whole being, on motion, risen, reported through its chairman, Mr. Troy, that the Senate in committee having had under consideration the election of sixteen trustees for the University, had instructed him to recommend to the Senate the following gentlemen for election :

J. S. Amis, of Granville.

D. M. Carter, of Wake.

W. H. Day, of Halifax.

Forney George, of Columbus.

Rev. C. B. Hassell, of Martin.

P. B. Means, of Cabarrus.

W. L. Saunders, of Wake.

John H. Thorp, of Nash.

W. H. Johnston, of Edgecombe.

D. S. Reid, of Rockingham.

J. S. Carr, of Orange.

Thos. Sparrow, of Beaufort.

D. A. Long, of Alamance.

Wm. Johnston, of Mecklenburg.

J. I. Scales, of Guilford.

W. E. Hill, of Duplin.

A message was received from the House of Representatives informing the Senate that the House was ready to go into an election of twenty trustees for the University, and that Messrs. Vaughan and Clark of Craven, had been appointed tellers, on the part of the House, and that the House concurred in the proposition of the Senate to go into the election of four trustees to fill the vacancies caused by the death of Hon. W. A. Graham, of Orange, E. W. Jones, Esq., of Caldwell, Col. John D. Hyman, of Henderson, and S. H. Walkup, Esq., of Anson.

A message was also received, announcing that the House had placed in nomination for the sixteen additional trus-

tees for the University, the names of the following gentlemen :

*First Congressional District.*—Rev. C. B. Hassell, of Martin.

*Second Congressional District.*—W. H. Day of Halifax, and W. H. Johnston of Edgecombe.

*Third Congressional District.*—Forney George of Columbus, and W. E. Hill of Duplin.

*Fourth Congressional District.*—J. S. Amis of Granville, J. H. Thorpe of Nash, and J. S. Carr of Orange.

*Fifth Congressional District.*—M. McGehee of Person, and M. H. Pinnix of Davidson.

*Sixth Congressional District.*—P. B. Means of Cabarrus, and W. J. Ewing of Montgomery.

*Seventh Congressional District.*—Charles Price of Davie, and J. S. Henderson of Rowan.

*Eighth Congressional District.*—Dr. L. R. McEvoy of Polk, and Reuben McBrayer of Cleveland.

Pending a ballot, on motion of Mr. Cunningham, the Senate adjourned.

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## FIFTY-FIRST DAY.

SENATE CHAMBER, Feb. 3d, 1877.

Senate met pursuant to adjournment.

Mr. Robinson, President *pro tem.*, in the chair.

The journal was read.



## PETITIONS AND MEMORIALS.

By Mr. Troy: Petition from the Mayor and citizens of Fayetteville, placed upon the Calendar.

By Mr. Mebane of Rockingham: Petition from citizens of Reidsville, in Rockingham county, placed upon the Calendar.

Leave of absence was granted to Mr. Heilig until Monday next.

Reports from Standing Committees were submitted, as follows:

From Committee on Finance,

By Mr. Holt: H. B. 288, S. B. 446, bill to authorize the commissioners of the county of Swain to levy a tax to build a bridge across Tuckaseegee River, recommending it do pass.

By Mr. Troy: S. B. 472, bill to establish normal schools, reporting certain amendments, and as amended, a majority of the committee recommending it do pass.

By Mr. Graham: H. R. 108, S. R. 454, resolution to inquire into the disposition of the funds derived from the stock of the State in the North Carolina Railroad, recommending it do pass.

H. B. 315, S. B. 447, bill to authorize the county commissioners of Graham county to levy a special tax, recommending it do pass.

From the Committee on Internal Improvements,

By Mr. Johnston: S. R. 394, resolution in favor of the Texas and Pacific Railway, reporting a substitute, and recommending the substitute do pass.

H. B. 232, S. B. 410, bill for the completion of a Railroad from Paint Rock to Warm Springs, in Madison county, reporting an amendment, and as amended, recommending it do pass.

From the Committee on Judiciary,

By Mr. Wilson: H. B. 282, S. B. 382, bill to change the

days of sales, reporting a substitute, and recommending the substitute do pass.

Message from the House of Representatives announcing that body had receded from the House amendments to S. B. 229, H. B. 370, bill to prohibit the sale of spirituous liquors near the towns of Salem and Winston, in the county of Forsythe, and had ordered the same enrolled for ratification.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the Secretary of State :

S. B. 393, H. B. 390, an Act to change the dividing line between the counties of Brunswick and Columbus.

H. R. 79, S. R. 344, resolution directing the Public Treasurer to make a demand upon the Receiver for construction bond holders of North Carolina Railroad, for interest on the construction bonds of said Road owned by the State.

S. B. 160, H. B. 317, an Act to aid in the construction of the Chester and Lenoir Narrow Gauge Railroad, and in the construction of the Watauga and Caldwell Narrow Gauge Railroad.

S. B. 235, H. B. 389, an Act to authorize the Board of County Commissioners of Pasquotank to levy a special tax.

S. B. 325, H. B. 391, an Act to protect the fishing interest in Contentnea and Black Creeks.

S. B. 229, H. B. 370, an Act to prohibit the sale of spirituous liquors near Salem and Winston, in Forsythe county, and for other purposes.

S. B. 318, H. B. 347, an Act to allow Milton Townshipp, in the county of Caswell, to subscribe \$15,000 in payment of stock in the Milton and Sutherlin Narrow Gauge Railroad.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows :

By Mr. Folk: S. B. 478, bill increasing the number of

trustees of the University. Placed upon the calendar.

By Mr. Cunningham : S. B. 479, bill to allow the Milton and Sutherlin Narrow Gauge Railroad Company to use forty convicts until December 15th, 1877. Referred to the Committee on Corporations.

By Mr. Liles : S. B. 480 bill to prevent the sale of liquor at or near Green Spring Church. Referred to the Committee on Propositions and Grievances ;

S. B. 481, bill to incorporate Cairo High School, in Anson county. Referred to Committee on Propositions and Grievances.

By Mr. Troy : S. B. 482, bill to amend the charter of the town of Fayetteville, and to extend the corporate limits thereof. Placed upon the calendar.

By Mr. Coke : Bill to regulate the attendance of sheriffs on the office of Clerks of the Superior Courts in the respective counties. Referred to the Committee on Judiciary.

By Mr. York : S. R. 484, resolution of instruction to the Committee on the Insane Asylum. Placed on the calendar.

By Mr. Coke : S. B. 492, bill to amend section 4, chapter 100, Battle's Revisal. Referred to the Committee on Judiciary.

Message from the House of Representatives,

H. R. 89, S. R. 485, resolution in relation to the establishment of an Agricultural Bureau. Placed upon the calendar.

H. R. 117, S. R. 486, resolution to raise a committee to take into consideration that portion of Governor Vance's message in relation to the artificial propagation of fish. Placed upon the calendar.

H. B. 397, S. B. 487, bill to amend section 4, chapter 254, Laws of 1870-'71. Referred to the committee on Judiciary.

H. B. 380, S. B. 488, bill to amend chapter 52, section 22, of Battle's Revisal. Referred to the Committee on Propositions and Grievances.



H. B. 364, S. B. 489, bill to amend Battle's Revisal, chapter 6, sub-division 1, being the Act in relation to the Asylum for the deaf mutes and blind persons. Referred to the Committee on Judiciary.

H. B. 398, S. B. 490, bill to amend section 1, chapter 68, Laws of 1874-'75. Referred to the Committee on Corporations.

H. B. 414, S. B. 491, substitute for H. B. 172, to change the time of holding the Superior Courts of the 11th and 12th judicial districts, without engrossment. Placed upon the calendar.

The following named bills and resolutions were acted upon as follows :

On motion of Mr. Mebane of Rockingham, S. B. 458, bill to provide for an inferior court in the several counties of the State, to be styled the Court of Common Pleas, was taken up on second reading, and, on his further motion, it was referred to the Committee on Judiciary.

On motion of Mr. Ferguson, H. B. 419, S. B. 491, bill to change the time of holding the Superior Courts of the 11th and 12th judicial districts, was taken up on its second reading and passed, and, on his further motion, it was put upon its third reading and passed—yeas 30, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Caho, Coke, Cunningham, Dockery, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mabson, Mebane of Bertie, Mercer, Robinson, Roberts, Scales, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne—30.

*Negative*—0.

On motion of Mr. Holt, H. R. 89, S. R. 485, resolution in relation to the establishment of an Agricultural Bureau, was taken up on its second reading.

On motion of Mr. Troy, the resolution was laid upon the table.

On motion of Mr. Johnston, the rules were suspended and H. B. 232, S. B. 410, bill to complete the Railroad from

Paint Rock to the Warm Springs, in Madison county, was taken up upon its second reading.

Amendments reported by the Committee on Internal Improvements were adopted, and the bill passed its second reading.

The bill was then put upon its third reading and passed, yeas 31, nays 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dockery, Dunn, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mabson, Mebane of Bertie, Mercer, Moore of Mecklenburg, Robinson, Roberts, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson, York—31.

*Negative*—Messrs. Robins, Wynne—2.

S. B. 408, bill to establish county government, on third reading.

Mr. Dunn moved to amend:

Amend section 4 by striking out "General Assembly," and insert "the qualified voters of the several counties of the State."

Upon which he called the yeas and nays.

Mr. Cunningham demanded the previous question, which was sustained.

The ayes and noes were ordered upon Mr. Dunn's amendment, and it was lost, ayes 8, nays 24, as follows:

*Affirmative*—Messrs. Bryant, Dockery, Dunn, Mabson, Mebane of Bertie, Moore of New Hanover, Thorne, Wynne—8.

*Negative*—Messrs. Albright, Askew, Bingham, Caho, Coke, Crawford, Cunningham, Ferguson, Folk, Graham, Holt, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Scales, Standford, Short, Waddell, Williams, York—24.

The bill then passed its third reading, yeas 25, nays 10, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Caho, Coke, Crawford, Cunningham, Ferguson, Folk, Graham, Holt, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Scales, Standford, Short, Troy Waddell, Williams, Wilson, York—25.

*Negative*—Messrs. Bryant, Dockery, Dunn, Johnston, Mabson, Mebane of Bertie, Moore of New Hanover, Roberts, Thorne, Wynne—10.

The bill was then ordered immediately engrossed.

Mr. Cunningham moved the vote by which the bill passed its third reading, be reconsidered, and moved that motion be laid on the table, which prevailed.

Message from the House of Representatives announcing the appointment by that body, as House Branch of Joint Committee under S. R. 378, resolution to raise a Joint Committee to consider certain portions of the Governor's Message, of the following gentlemen:

Messrs. McGehee, Richardson, Henderson, Harriss and Parish.

Also, asking the return to the House of H. B. 364, S. B. 489, bill to amend Battle's Revisal, chapter 1, being the act in relation to the Asylum for the Deaf, the Dumb and the Blind.

The bill was ordered to be returned.

The unfinished business was taken up, being the election of sixteen trustees for the University.

The following gentlemen were put in nomination, having been reported to the Senate yesterday, by Mr. Troy, from the committee of the whole:

J. S. Amis of Granville,  
D. M. Carter of Wake,  
W. H. Day of Halifax,  
Forney George of Columbus,  
Rev. C. B. Hassell of Martin,



P. B. Means of Cabarrus,  
W. L. Saunders of Wake,  
Jno. H. Thorpe of Nash,  
W. H. Johnston, of Edgecombe,  
D. S. Reid of Rockingham,  
J. S. Carr, of Orange,  
Thos. Sparrow of Beaufort,  
D. A. Long of Alamance,  
Wm. Johnston of Mecklenburg,  
J. I. Scales of Guilford,  
W. E. Hill of Duplin.

The following is the result of the ballot :

FOR MR. AMIS—Messrs. Albright, Askew, Bingham, Caho, Coke, Dunn, Ferguson, Folk, Graham, Holt, Hughes, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—27.

FOR D. M. CARTER—Messrs. Albright, Askew, Bingham, Caho, Coke, Dunn, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—20.

FOR W. H. DAY—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Graham, Holt, Hughes, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—26.

FOR FORNEY GEORGE—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Troy, Waddell, Williams, Wilson, York—23.

FOR REV. C. B. HASSELL—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short,

Thorne, Troy, Waddell, Williams, Wilson, York—25.

FOR P. B. MEANS—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—25.

FOR W. L. SAUNDERS—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York.—25.

FOR JOHN H. THORP—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—25.

FOR W. H. JOHNSTON—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Standford, Short, Troy, Williams, Wilson, York—21.

FOR D. S. REID—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—25.

FOR J. S. CARR—Messrs. Albright, Askew, Bingham, Caho, Coke, Dunn, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robins, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—26.

FOR THOS. SPARROW—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—24.



FOR D. A. LONG—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—25.

FOR WM. JOHNSTON—Messrs. Albright, Askew, Bingham, Caho, Coke, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—25.

FOR J. I. SCALES—Messrs. Albright, Askew, Bingham, Caho, Coke, Dunn, Ferguson, Folk, Graham, Holt, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—26.

FOR W. E. HILL—Messrs. Albright, Askew, Caho, Coke, Dunn, Ferguson, Folk, Graham, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Williams, Wilson, York—24.

Mr. Graham cast a vote each for A. C. Avery, Charles Price and M. McGehee.

Mr. Waddell cast a vote for J. D. Cameron.

Mr. Roberts cast a vote each for M. H. Pinnix and R. B. Vance.

Mr. Dunn cast a vote each for Messrs. George Green, D. L. Russell, J. W. Harper, G. A. Foster, W. J. Pope, J. E. Sampson, T. L. Hargrove, W. A. Darden, S. L. Johnson, W. J. Ewing, T. D. Johnston.

Mr. Thorne cast a vote each for G. A. Foote and M. H. Pinnix.

Mr. Moore of New Hanover, cast a vote each for Messrs. J. E. Sampson, Adam Embie, J. H. Harriss, Richard Badger, J. D. Cameron, C. H. Dockery, C. M. D. Humphrey, W. J. DeVane, T. L. Hargrove, W. S. Smith, R. W. Wynne, M.



S. Robbins, J. D. Standford, Jas. Wilson, Dr. T. J. Moore, H. B. Short.

Mr. Mabson voted for Messrs, John Norfleet, W. W. Dunn and D. L. Russell

By consent, Mr. Albright introduced S. R. 493, resolution in regard to the time of the meeting of the Senate.

On motion of Mr. Albright the rules were suspended and the resolution was taken up.

Mr. Dockery moved to amend:

Strike out "10," and insert "10½."

Lost.

Mr. Moore of New Hanover, moved to strike out night sessions.

Mr. Latham called the previous question, which was sustained.

The amendment offered by Mr. Moore of New Hanover, was lost.

The resolution was then adopted.

By consent, Mr. Albright introduced S. R. 494, resolution relating to *sine die* adjournment. Placed upon the calendar.

Mr. Standford gave notice that on and after Monday next he should object to any further suspension of the rules, and insist that the Calendar be disposed of in regular order.

On motion of Mr. Wilson, S. B. 263, bill to amend section 23, chapter 45, Battle's Revisal, was taken up on its second reading.

The substitute reported by the Committee on Judiciary was adopted.

Bill then passed its second reading and was put upon its third reading and passed, yeas 23, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Caho, Coke, Dockery, Ferguson, Folk, Graham, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Mercer,

Moore of Mecklenburg, Roberts, Standford, Short, Thorne, Troy, Waddell, Wilson, Wynne, York—26.

*Negative*—0.

On motion of Mr. Short, the rules were suspended, and S. B. 372, bill to amend chapter 30, Acts of 1873-'74, entitled an Act in relation to Foreign Insurance Companies, was taken up on its second reading.

The substitute reported by the Committee on Insurance was adopted.

Bill then passed its second reading.

Bill was put upon its third reading and passed—yeas 25, noes 2, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Caho, Coke, Dockery, Ferguson, Folk, Graham, Holt, Hughes, Johnston, Latham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Standford, Short, Thorne, Troy, Waddell, Wilson, York—25.

*Negative*—Messrs. Mabson, Mebane of Bertie—2.

Mr. Robinson, President *pro tem.*, announced as the Senate branch of the Joint Committee under S. R. 378, resolution to raise a Joint Committee with reference to the memorial of the Agricultural Society, Messrs. Troy, Finger and Johnston.

On motion the Senate adjourned.

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## FIFTY-SECOND DAY.

SENATE CHAMBER, Feb. 5th, 1877.

The Senate met pursuant to adjournment.

Mr. Robinson, President *pro tempore*, in the chair.

Prayer by the Rev. Dr. Marshall, of the city.

The Journal of Saturday was read.

Mr. Hughes announced he was unavoidably detained from his seat on Saturday, when S. B. 408, bill to establish county governments, passed its final reading; had he been present he would have voted in the negative.

Messrs. Bennett, Dortch and Boddie also stated that they had been detained from their seats on Saturday, but had they been present, would have voted in the affirmative on the same bill.

Mr. Dortch also would have voted for the sixteen gentlemen reported by the committee of the whole, of the Senate, for Trustees of the University.

#### PETITIONS AND MEMORIALS.

By Mr. Moore, of Mecklenburg: Petition from merchants of the city of Charlotte, praying for the repeal of license tax, referred to the Committee on Finance.

Reports from Standing Committees were submitted, as follows:

From Committee on Engrossed bills,

By Mr. York: S. B. 372, bill to amend chapter 30, Act of 1873-'74, in relation to foreign insurance companies.

S. B. 408, bill to establish county governments.

S. B. 263, bill to amend section 23, chapter 45, of Battle's Revisal.

From the Committee on Insane Asylum,

By Mr. Standford: S. R. 41, resolution on the subject of asylums, in favor of raising a joint committee, reporting a substitute, and recommending the substitute do pass.

From Committee on Finance,

By Mr. Graham: Petition in relation to tax on Dentistry, asking to be discharged from its further consideration.

H. B. 251, S. B. 385, bill to levy a special tax for the county of Beaufort, recommending the bill do pass.



The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows :

By Mr. Standford: S. B. 495, bill for the support of the Insane Asylum. Referred to the Committee on the Insane Asylum.

By Mr. Dockery: S. B. 496, bill to prohibit the sale of intoxicating liquors in certain localities in Richmond county. Referred to the Committee on Propositions and Grievances.

By Mr. Boddie: S. B. 497, bill to amend the charter of the town of Nashville, Nash county. Referred to the Committee on Corporations.

By Mr. Moore of Mecklenburg: S. B. 498, bill to incorporate the town of Huntersville, in the county of Mecklenburg. Referred to the Committee on Corporations.

By Mr. Justice: S. B. 499, bill to incorporate the town of Burnt Chimney, in the county of Rutherford. Referred to the Committee on Corporations.

Leave of absence was granted Mr. Crawford for to-day ;

To Mr. Cunningham until Wednesday ;

To Mr. Scales for to-day ; and

To Mr. Mebane of Bertie, for six days.

On motion of Mr. Wilson, the vote by which Senate substitute to S. B. 263, bill to amend section 23, chapter 45, of Battle's Revisal, passed its third reading on Saturday, was reconsidered.

Question recurred upon the passage of the bill on its third reading.

Mr. Wilson moved to amend :

Insert,

*" The General Assembly of North Carolina do enact :*

Section 1, That section 23, chapter 45, of Battle's Revisal, be amended by adding thereto, as follows ;"

which was adopted.

On motion of Mr. Latham, the calling of the yeas and noes on the third reading, was dispensed with.

Bill then passed its third reading.

On motion of Mr. Hughes, S. B. 140, bill to amend an Act to incorporate the trustees of Oxford Colored Educational Association of Granville county, was taken from the table and referred to the Committee on Corporations.

On motion of Mr. Ferguson, S. B. 175, bill to amend sections 75 and 76, of chapter 33, Battle's Revisal, and to regulate the manner of summoning jurors in capital cases, was taken from the table and placed upon the calendar.

H. B. 230, S. B. 308, bill to amend chapter 131, Laws of 1874-'75, relative to the charter of Kinston, was taken up on third reading, it being the special order for to-day.

On motion of Mr. Standford, it was postponed until to-night at 8 P. M.

The following named bills and resolutions were acted upon as follows:

House amendment,

S. B. 28, H. B. 239, bill to amend section 2, chapter 18, Battle's Revisal.

On motion of Mr. Graham, the Senate refused to concur in the amendment of the House, and a message was sent to the House to that effect.

H. R. 24, S. R. 129, resolution of protest, on second reading.

On motion it was indefinitely postponed.

S. B. 132, bill to incorporate Alligator Lodge, number seventy-eight, Independent Order of Odd Fellows, North Carolina, on second reading and passed.

On motion of Mr. Latham, it was put upon its third reading and passed, yeas 30, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Dortch, Dockery, Ferguson, Folk, Graham, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mercer, Robinson, Rob-

erts, Standford, Stickney, Short, Thorne, Wynne, York—30.

*Negative*—0.

S. B. 166, bill to provide for the government of counties, on second reading.

On motion of Mr. Graham, it was indefinitely postponed.

S. R. 177, resolution in favor of the working people, on second reading.

On motion of Mr. Albright, it was indefinitely postponed.

H. B. 185, S. B. 205, bill for the relief of the tax-payers of Wake county, on second reading and passed. It was then put on its third reading and passed—yeas 31, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Dortch, Dockery, Ferguson, Folk, Graham, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Stickney, Short, Thorne, Wilson, Wynne and York—31.

*Negative*—0.

S. B. 220, bill to amend the charter of the town of Salem, in the county of Forsythe, on second reading and passed.

The bill then passed its third reading—yeas 31, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Dortch, Dockery, Ferguson, Folk, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Stickney, Short, Thorne, Wilson, Wynne and York—31.

*Negative*—0.

S. B. 221, bill to consolidate and revise the charter of the town of Winston, and the amendments thereto, on second reading.

The amendments reported by the Committee on Corporations were accepted.

Bill passed its second reading, and on motion of Mr. Wil-



son, it was put upon its third reading and passed—yeas 24, nays 5, as follows :

*Affirmative*—Messrs. Albright, Bennett, Bingham, Boddie, Caho, Coke, Dortch, Ferguson, Graham, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Roberts, Standford, Stickney, Short, Wilson and York—24.

*Negative*—Messrs. Bryant, Folk, Mabson, Moore of New Hanover, and Thorne—5.

S. R. 38, resolution in favor of G. W. & B. K. Dickey, on second reading.

Mr. Robinson offered a substitute for the bill, which was adopted.

Bill then passed its second reading, was then put upon its third reading and passed—yeas 20, nays 11, as follows :

*Affirmative*—Messrs. Boddie, Caho, Ferguson, Folk, Graham, Holt, Hughes, Johnston, Justice, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Standford, Short, Thorne, Wilson and Wynne—20.

*Negative*—Messrs. Albright, Askew, Bennett, Bingham, Bryant, Coke, Dortch, Latham, Mercer, Stickney and York—11.

By permission, Mr. Coke introduced S. R. 502, resolutions for the relief of Hon. R. H. Cannon, now riding the first Judicial District. Placed upon the calendar.

Mr. Liles asked to withdraw S. B. 481, bill to incorporate Cairo High School in Anson county, which was granted.

S. B. 222, bill for the preservation of Mocking birds, on second reading.

On motion of Mr. Graham, it was indefinitely postponed.

S. B. 224, bill to modify, change and abrogate various sections of article VII, of the Constitution of the State, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 225, bill in relation to Justices of the Peace, on second reading.

On motion of Mr. Standford, it was referred to the special Committee on Civil Jurisdiction of Magistrates.

S. B. 226, bill to establish a system of courts in the several counties in the State, on second reading.

On motion of Mr. Standford, it was referred to the Special Committee on Civil Jurisdiction of Magistrates.

S. B. 227, bill to prohibit the sale of spirituous liquors within two miles of McKendree's Chapel Methodist Episcopal Church, South, in the county of Iredell, on second reading and passed. It was then put on its third reading.

On motion of Mr. Latham, the calling of the yeas and nays was dispensed with.

The bill then passed its third reading.

S. B. 230, bill to prohibit the sale of spirituous liquors within two miles of Morrow's Chapel, colored Methodist church, in the county of Iredell, on second reading and passed. It was put upon its third reading.

On motion, the calling of the yeas and nays was dispensed with.

The bill passed its third reading.

S. B. 249, bill to prevent the sale of intoxicating liquors within two miles of certain churches in Granville county, on second reading.

Mr. Troy moved to refer the bill to the Committee on Propositions and Grievances. Lost.

Bill passed its second reading and was put upon its third reading.

Mr. Wilson moved to amend :

Strike out "one month" and insert "thirty days."

Adopted.

The calling of the yeas and nays was dispensed with.

Bill passed its third reading.

S. B. 251, bill to repeal section 82, of chapter 102, Battle's Revisal, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 256, bill to amend chapter 6, Battle's Revisal, concerning the Insane Asylum, on second reading and lost.

Mr. Ferguson moved to reconsider the vote by which the bill failed to pass its second reading.

Mr. Standford moved to lay the motion to reconsider on the table, which prevailed.

S. B. 262, bill for the better protection of churches and religious congregations in this State, on second reading.

On motion of Mr. Hughes, it was indefinitely postponed.

H. B. 190, S. B. 267, bill to prohibit the sale of intoxicating liquors within two miles of Waynesville Academy, in the county of Haywood, on second reading and passed.

Put on third reading, on motion the the ayes and naves were not called. The bill passed its third reading.

S. B. 272, bill to amend section 9, chapter 29, Battle's Revisal, on second reading, and passed.

Was put on third reading.

Mr. Graham moved to indefinitely postpone, upon which

Mr. Latham called the ayes and naves, which were ordered, and the motion to indefinitely postponed was lost—ayes 13, naves 19, as follows:

*Affirmative*—Messrs. Albright, Bingham, Dockery, Dunn, Folk, Graham, Holt, Hughes, Mabson, Moore of Mecklenburg, Thorne, Troy and Wilson—13.

*Negative*—Messrs. Askew, Caho, Coke, Dortch, Ferguson, Heilig, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Robinson, Roberts, Stanford, Stickney, Short and York—19.

Mr. Stickney moved to recommit the bill to the Committee on Judiciary, which prevailed.

Mr. Johnston moved to reconsider the vote by which H. B. 419, S. B. 491, bill to change the time of holding the



Superior Courts of the 11th and 12th Judicial Districts, passed its third reading, which prevailed.

Message from the House of Representatives, announcing that that body had receded from the House amendments to S. B. 28, H. B. 239, bill to amend section 2, chapter 18, Battle's Revisal, and had ordered the same enrolled for ratification.

Also, had concurred in the Senate amendment to H. B. 232, S. B. 410, bill to complete the railroad from Paint Rock to Warm Springs, in Madison county, and had ordered the same enrolled for ratification.

H. R. 123, S. R. 500, resolution directing the Treasurer of the State to pay the expenses of the Committee to investigate certain charges against the solicitor of the 6th Judicial District. Placed upon the calendar.

H. B. 222, S. B. 501, bill to authorize the Commissioners of Green county to levy a special tax. Referred to the Committee on Finance.

S. B. 273, bill in relation to the sale of liquor near Cedar Creek Church, in Anson county, on second reading and passed.

On motion it was put on its third reading and passed, the call of the yeas and nays being dispensed with.

H. B. 166, S. B. 275, bill making it a misdemeanor to carry concealed weapons, on second reading and passed.

Was put upon its third reading.

Mr. Latham moved to

Strike out the word "concealed "

Lost.

Mr. Coke moved to amend :

Strike out all arms except razors.

Mr. Hughes moved to amend :

*“Provided, This act shall not have the effect of preventing mechanics carrying their working tools.”*

Lost.

Mr. Caho moved to amend :

Strike out “concealed weapons” wherever it occurs.

Lost.

Mr. Holt called the previous question, which was sustained.

Bill failed to pass its third reading—yeas 15, nays 19, as follows :

*Affirmative*—Messrs. Bingham, Dockery, Dunn, Ferguson, Graham, Johnston, Justice, Mebane of Bertie, Mercer, Robinson, Roberts, Stickney, Thorne, Wilson and York—15.

*Negative*—Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Dortch, Heilig, Holt, Hughes, Latham, Mabson, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Standford, Short, Troy and Wynne—19.

H. B. 213, S. B. 276, bill to require the Secretary of State to perfect grants for land in certain counties, and to provide that Registers of Deeds may do so in certain cases, on second reading.

Mr. Johnston moved to

Strike out section 2.

Which prevailed.

Mr. Ferguson moved to

Strike out the third section of the bill.

Which prevailed.

Bill passed its second reading, and on motion of Mr.

Johnston it was put upon its third reading and passed, the call of the yeas and nays being dispensed with.

On motion of Mr. Liles, the Senate adjourned.

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EVENING SESSION.

February 5th, 1877.

Senate met at 7½ o'clock.

Mr. Robinson, president, *pro tem.*, in the chair.

On motion of Mr. Wilson, the roll was called, and the following senators answered to their names:

Messrs. Albright, Askew, Bennett, Bingham, Boddie, Cahoon, Crawford, Dortch, Dockery, Dunn, Ferguson, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Scales, Standford, Stickney, Short, Thorne, Troy, Wilson, Wynne and York—37.

The following named bills and resolutions were acted upon as follows:

S. B. 285, bill to provide a special commission for the county of Craven, on second reading.

Mr. York offered the following amendment:

“Provided the county of Craven pay the expenses of the commission.”

Lost.

Mr. Troy moved to amend:

Add to section 1, “And said commissioners are authorized



to inquire into the misapplication of said judge of probate of certain bonds belonging to any insane persons, and ~~others~~ belonging to the Female Benevolent Society, placed in ~~the~~ custody of said officers by order of the Superior Court." And add as a new section, "And said commissioners are authorized to investigate into a matter of indebtedness due to the state upon the bond of A. R. Dennison, former ~~sheriff~~ of said county, so as to ascertain whether said bond has ~~ever~~ been put in suit, or has been collected, and if paid, where the money is; also shall examine the account of D. N. Kilbourn, treasurer of said county, to ascertain amount of school or other county funds now in his possession, or which he has failed to account for to the respective departments."

All of which were adopted.

The amendment offered by Mr. Sandifer, as follows:

Add to section —, "Said commissioners shall be paid by Craven county a sum not exceeding \$25 each, and submit their report of the same to this General Assembly,"

Was lost.

The amendment offered by Mr. Caho, to wit:

"Strike out the name of 'George Green,' and insert that of 'James C. Harrison,'"

Was lost.

Bill, as amended, passed its second reading, and, on motion of Mr. Troy, was put upon its third reading.

Mr. Mebane of Bertie, offered to amend:

"Strike out the words 'Craven county,' and insert '~~every~~ county in the state.'"

Lost.

Bill then passed its third reading, yeas 31, nays 6, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Dortch, Dockery, Dunn, Folk, Graham, Heilig, Holt, Hughes, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Scales, Standford, Stickney, Short, Thorne, Troy, Wilson, Wynne and York—31.

*Negative*—Messrs. Ferguson, Johnston, Justice, Latham, Mabson and Mebane of Bertie—6.

H. B. 230, S. B. 308, bill to amend chapter 131, laws of 1874-'75, relative to the charter of Kinston, was taken up on its second reading, it being the special order for that hour. It passed its second reading, and, on motion of Mr. Standford, it passed its third reading, yeas 29, nays 6, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Dortch, Ferguson, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Scales, Standford, Stickney, Short, Troy, Wilson and York—29.

*Negative*—Messrs. Dockery, Hughes, Mabson, Mebane of Bertie, Thorne and Wynne—6.

S. B. 291, bill for the benefit of the farmers in Murphy's Swamp and Carver's Neck, Rockfish township, county of Cumberland, was taken up on its second reading.

Mr. Latham moved to amend:

Strike out "one month," and insert "30 days,"

Which prevailed.

Bill passed its second reading, and, on motion of Mr. Troy, it was put on its third reading.

Mr. Troy moved to amend:

Strike out in section 3 the word "February," and insert "March,"

Which prevailed.

Bill then passed its third reading, yeas 33, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Dortch, Dockery, Ferguson, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Roberts, Scales, Standford, Stickney, Short, Thorne, Troy, Wilson and York—33.

*Negative*—None.

S. B. 293, bill regarding the fishermen of the State, on second reading.

Mr. Folk moved to indefinitely postpone, which prevailed.

S. R. 295, resolution of instruction to the keeper of the Capitol, on second reading.

Mr. Holt moved to amend:

Strike out "the south entrance to the Capitol."

Lost.

Mr. Johnston moved to amend:

"Provided not more than twelve convicts shall be required and used for this purpose."

Lost.

Mr. Liles moved to amend:

Add, "That the keeper of the Capitol be instructed to prevent, as far as in his power, the passages through the Capitol from being used as public highways."

Lost.

Mr. Latham demanded the previous question, which was sustained, and the bill failed to pass its second reading.



S. B. 298, bill authorizing a foreman of a grand jury to swear witnesses, on second reading.

Mr. Wilson moved to indefinitely postpone.

Mr. Moore of Mecklenburg, moved to amend:

“Provided the provisions of this act shall not apply to Mecklenburg and Cabarrus counties.”

The question recurring upon the motion to indefinitely postpone, it prevailed.

Substitute for S. R. 287, resolution in favor of the colored race, on its second reading.

The amendments reported by the Committee on the Judiciary to the substitute was adopted.

The substitute was adopted.

Resolution was then adopted.

S. B. 300, bill in regard to excessive bond and punishment, on second reading.

On motion of Mr. Stanford it was indefinitely postponed.

H. R. 87. S. R. 307, resolution relative to carpeting the office of Principal Clerk of the House of Representatives, on second reading.

Mr. Graham moved to amend:

Strike out, where it occurs, the words “this House,” and insert “the House of Representatives.”

Which prevailed.

Resolution passed its second reading, and on motion of Mr. Holt, it was put on its third reading.

On motion of Mr. Holt, the calling of the yeas and nays was dispensed with, and the bill passed its third reading, on a division—yeas 18, nays 15.

Mr. Bingham moved to adjourn.

Lost.

H. B. 207, S. B. 309, bill to amend Battle's Revisal, chapter 104, section 26, on second reading.

Substitute reported by the Committee on Judiciary was adopted, and the bill passed its second reading.

On motion of Mr. Latham the bill was put upon its third reading.

Mr. Folk moved to amend :

Strike out so much as relates to penalties,

Which was adopted.

Mr. Holt moved to amend :

Strike out in last line of section 1 the words, "or imprisoned not exceeding thirty days."

Adopted.

Bill then passed its third reading—yeas 21, nays 17, as follows :

*Affirmative*—Messrs. Albright, Bingham, Crawford, Dortch, Dockery, Graham, Heilig, Holt, Hughes, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Scales, Stanford, Troy, Wynne and York—21.

*Negative*—Messrs. Askew, Pennett, Boddie, Calhoun, Dunn, Ferguson, Folk, Johnston, Justice, Latham, Liles, Mercer, Stickney, Short, Thorne and Wilson—17.

Mr. Graham moved to adjourn.

Lost.

S. B. 312, bill relative to journeymen mechanics, on second reading.

On motion of Mr. Mebane of Bertie, it was indefinitely postponed.

S. B. 314, bill to amend chapter 101, Battle's Revisal, by adding another section thereto, on second reading.

On motion of Mr. Holt, it was indefinitely postponed.

S. B. 321, bill to extend the jurisdiction of Justices of the Peace, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 322, bill for the protection of king snakes, on second reading.

On motion of Mr. Moore, of New Hanover, it was indefinitely postponed.

S. B. 323, bill for the protection of benevolent societies, on second reading.

On motion of Mr. Hughes, it was indefinitely postponed.

S. B. 327, bill to regulate the sale of live stock in the city of Wilmington, on second reading.

Mr. Moore of New Hanover, called the previous question, which was sustained, and the bill passed its second reading.

Mr. Standford moved the rules be suspended and put the bill on its third reading.

Mr. Moore of New Hanover, objected.

The motion to suspend the rules prevailed, and the bill was put upon its third reading.

Mr. Troy moved to amend :

Strike out in section 6 the words "its ratification," and insert "the first of April."

Mr. Standford called for the previous question, which was sustained.

The amendment of Mr. Troy was adopted.

Mr. Standford moved to reconsider the vote by which the previous question was ordered. Prevailed, and on his further motion, the bill was postponed until to-morrow at 12 M., and made the special order for that hour.

Mr. Dockery moved to adjourn.

Lost.

S. B. 329, bill to repeal chapter 117, laws of 1874-'75, on second reading, and passed.

On motion of Mr. Latham, it was put upon its third read-



ing and passed, the call of the yeas and nays being dispensed with.

S. B. 330, bill to abrogate certain sections of article 7 of the constitution, and substitute others in their place, on second reading.

On motion of Mr. Holt, it was indefinitely postponed.

S. B. 332, bill to prevent the destruction of quails or partridges, on second reading.

Amendments were offered by Senators Latham, York, Bingham, Wynne, Hughes, Justice, Folk and Ferguson, excepting from the provisions of the bill the 2d, 18th, 21st, 33d, 35th, 36th, 39th, 40th, 41st and 42d districts.

On motion of Mr. Scales, the bill was referred to the Committee on Agriculture, Mechanics and Mining.

Mr. Wilson moved to adjourn.

Lost.

By consent, Mr. Troy introduced S. R. 503, resolution relative to local prohibitory bills. Placed on Calendar.

S. B. 334, bill to define punishment, on second reading, and passed.

Mr. Wilson moved to adjourn, upon which

Mr. Moore of Mecklenburg, called the yeas and nays, which were ordered, and the Senate refused to adjourn, yeas 14, nays 20, as follows:

*Affirmative*—Messrs. Albright, Bennett, Boddie, Dunn, Ferguson, Graham, Heilig, Justice, Liles, Mabson, Standford, Stickney, Thorne and Wilson—14.

*Negative*—Messrs. Askew, Bingham, Caho, Crawford, Dortch, Folk, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Scales, Short, Wynne and York—20.

On motion, S. B. 334 was put upon its third reading and passed—yeas 29, nays 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Dortch, Dunn, Ferguson, Folk,

Holt, Johnston, Justice, Latham, Liles, Mabson, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Standford, Stickney, Short, Thorne, Wilson, Wynne and York—28.

*Negative*—Messrs. Graham and Scales—2.

H. B. 249, S. B. 335, bill to authorize the several county authorities of the State to farm out convicts, on second reading.

Mr. Standford moved to adjourn, upon which

Mr. Dortch called the yeas and nays, which were ordered, and the Senate refused to adjourn—yeas 13, nays 21, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Dunn, Graham, Heilig, Justice, Liles, Mabson, Standford, Stickney, Short and Thorne—13.

*Negative*—Messrs. Albright, Boddie, Caho, Crawford, Dortch, Ferguson, Folk, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Scales, Wilson, Wynne and York—21.

Mr. Folk by consent introduced S. R. 504,

*“Resolved by the Senate, That the yeas and nays shall not be called upon the passage of bills on their third reading, unless requested by five Senators, or otherwise ordered.”*

Mr. Folk moved a suspension of the rules and put the resolution on its passage.

Upon division, the Senate refused to suspend the rules.

On motion of Mr. Holt, the Senate adjourned until tomorrow morning at 10½ o'clock.

## FIFTY-THIRD DAY.

SENATE CHAMBER, Feb. 6th, 1877.

Senate met.

Mr. President *pro tempore* Robinson in the chair.

Prayer by the Rev. Dr. Marshall, of the city.

The Journal of yesterday was, on motion of Mr. Crawford, approved without being read.

## PETITIONS.

By Mr. Heilig: Petition from the citizens of Concord, Cabarrus county, in regard to the revenue laws of the State. Referred to the Committee on Finance.

By Mr. Wilson: Petition from the physicians of Forsythe county praying for the passage of a law to secure payment for their medical services. Referred to the Committee on Propositions and Grievances.

By Mr. Coke: Petition from the lawyers of the first Judicial District, asking relief for the Hon. R. H. Cannon. Placed upon the calendar.

By Mr. Wynne: Petition from the merchants of the city of Raleigh relative to the repeal of the tax on purchases. Referred to the Committee on Finance.

By Mr. Caho: Petitions from the citizens of Pamlico and Craven counties to protect the fish, and a petition from the citizens of No. 1 township, Pamlico county, in regard to the sale of spirituous liquors. Referred to the Committee on Propositions and Grievances.

Reports from standing committees were submitted as follows:

From Committee on Engrossed Bills,

By Mr. York: S. B. 132, bill to incorporate Aligator



Lodge, No. 78, Independent Order of Odd Fellows of North Carolina ;

S. B. 276, H. B. 213, Senate amendment to an Act to require the Secretary of State to perfect grants, &c.;

S. B. 273, a bill in relation to sale of liquor near Cedar Creek, Anson county.

S. R. 38, resolution in favor of G. W. & B. K. Dickey.

S. B. 227, bill to prohibit the sale of spirituous liquors within two miles of McKendree's Chapel, in Iredell county.

S. B. 249, a bill to prevent the sale of spirituous liquors within two miles of certain churches in Granville county.

S. B. 230, a bill to prohibit the sale of spirituous liquors within two miles of Morrow's Chapel, (colored,) Methodist Church, Iredell county.

S. B. 220, a bill to amend the charter of the town of Salem, in Forsythe county.

From the Committee on Judiciary,

By Mr. Folk : H. B. 258, S. B. 437, bill to regulate trials in Justice's Courts, recommending it do not pass.

H. B. 343, S. B. 435, bill to extend the time of taking out grants from the State, recommending it do pass.

S. B. 456, bill to re-enact section 9, chapter 111, Battle's Revisal, recommending it do not pass.

By Mr. Bingham : H. B. 397, S. B. 487, bill to amend section 3, chapter 254, Laws of 1870-'71, recommending it do pass.

S. B. 470, bill to abolish the county of Pamlico, recommending it be referred to the Committee on Propositions and Grievances, which was ordered.

By Mr. Graham : S. B. 469, bill to authorize the commissioners of Wayne county to appoint a Finance Committee, recommending the passage of the bill.

By Mr. Ferguson : S. B. 492, bill to amend section 4, chapter 100, Battle's Revisal, recommending it do pass.

By Mr. Coke : S. B. 483, bill to regulate the attendance of sheriffs on the offices of the Clerks of the Superior

Courts in the respective counties, recommending it do pass.

By Mr. Mebane of Rockingham: H. B. 330, S. B. 427, bill to amend section 14, chapter 14, Battle's Revisal, recommending an amendment, and as amended that the bill do pass.

By Mr. Wilson: S. B. 471, bill to amend section 138, chapter 32, Battle's Revisal, recommending it do pass.

From Committee on Insane Asylum,

By Mr. Standford: S. B. 331, bill to amend Battle's Revisal, concerning the Insane Asylum; recommend it be referred to the Committee on the Judiciary, which was ordered.

From Committee on Public Buildings and Grounds,

By Mr. Thorne: S. R. 290, resolution in favor of heating the capitol, recommend that it do pass.

From the Committee on Corporations,

By Mr. Albright: S. B. 499, bill to incorporate the town of Burnt Chimney, in Rutherford county, recommending it do pass.

The following named Bills and Resolutions were introduced, read and passed first time, and referred or otherwise disposed of, as follows:

By Mr. Stickney: S. B. 505, bill to amend the Laws of 1874-'75, chapter 180, referred to the Committee on Propositions and Grievances.

By Mr. Boddie: S. B. 506, bill to establish Castalia township, in Nash county, referred to Committee on Propositions and Grievances.

By Mr. Holt: S. B. 507, bill for the relief of Albert Murray, former sheriff of Alamance county, referred to Committee on Finance.

By Mr. Bingham: S. B. 508, bill to establish a road from Mulberry Gap to the Virginia line, referred to the Committee on Propositions and Grievances.

By Mr. Moore of Mecklenburg: S. R. 509, resolution of instruction to the Judiciary Committee.



On motion of Mr. Troy, the rules were suspended and the resolution was adopted.

Mr. Standford, of the tellers to superintend the election of trustees for the University, announced the following gentlemen elected :

Hon. John W. Graham, of Orange county, to fill the vacancy caused by the death of Hon. W. A. Graham, of Orange county.

Hon. G. N. Folk, of Caldwell county, to fill the vacancy caused by the death of Hon. E. W. Jones, of Caldwell county.

Hon. Jas. L. Robinson, of Macon county, to fill the vacancy caused by the death of the Hon. J. D. Hyman, of Henderson county.

Hon. Thos. S. Ashe, of Anson county, to fill the vacancy caused by the death of Hon. S. H. Walkup, of Anson county.

Messrs. J. S. Amis, C. B. Hassell, W. H. Day, Forney George, P. B. Means, Julien S. Carr, John H. Thorp, W. E. Hill, W. H. Johnston, Montford McGehee, W. J. Ewing, M. H. Pinnix, Charles Price, John S. Henderson, J. R. McEvoy, and R. McBrayer.

On motion of Mr. Folk, the rules were suspended and S. R. 504, resolution amending the rules of the Senate, was taken up and adopted.

By permission, Mr. Holt introduced S. R. 510, resolution relative to vacancies in board of trustees of University. Placed upon the Calendar.

S. R. 503, resolution relative to local prohibitory bills, was taken up under suspension of the rules, and adopted.

On motion of Mr. Coke, the Senate reconsidered the vote by which H. B. 213, S. B. 276, bill to require the Secretary of State to perfect grants for lands in certain cases, &c., failed to pass its third reading.

Question recurred upon the passage of the bill its third reading.



On motion of Mr. Ferguson, the bill was postponed informally.

Message from the House of Representatives, informing the Senate that the following gentlemen were appointed House branch of Joint Committee in relation to the lease of the North Carolina Railroad:

Messrs. Staples, Richardson and Bagley.

Also transmitting

H. B. 158, S. B. 512, bill to repeal section 4, chapter 136, of Laws of 1874-'75; referred to the Judiciary Committee.

H. B. 340, S. B. 513, bill to amend chapter 161, Private Laws of 1874-'75; referred to the Committee on Corporations.

H. B. 344, S. B. 514, bill to amend chapter 195, of Laws of 1874-'75; referred to Committee on Judiciary.

H. B. 367, S. B. 515, bill to amend section 5, chapter 44, Private Laws of 1874-'75, referred to Committee on Corporations.

H. B. 233, S. B. 516, bill to authorize towns or cities of 5,000 inhabitants and upwards, to levy taxes for graded public schools; referred to the Committee on Finance.

On motion of Mr. Mebane of Rockingham, S. B. 458, bill to provide for inferior courts in the several counties of the State, was taken up and made the special order for Wednesday night at 8 o'clock.

Mr. Moore of Mecklenburg, moved to reconsider the vote by which S. R. 295, resolution of instruction to the Keeper of the Capitol, failed to pass its second reading, which prevailed.

Question recurring upon the passage of the resolution its second reading,

Mr. Johnston moved to amend:

"*Provided*, The work shall commence at once, and be completed by first of April, 1877,"

which was lost.

Mr. Moore of New Hanover, moved to amend:

Strike out "convicts," and insert "stone cutters,"

which was lost.

Resolution then passed its second reading, and was read the third time and adopted.

H. B. 249, S. B. 335, bill to authorize the several county authorities of the State to farm out convicts.

Mr. Hughes moved to indefinitely postpone, upon which he demanded the yeas and nays, which was not sustained, and the motion to indefinitely postpone was lost.

Bill then passed its second reading.

On motion of Mr. Hughes, the bill was made the special order for Friday night at 8 o'clock.

S. B. 223, bill to prevent the sale of intoxicating liquors, on second reading; indefinitely postponed.

S. B. 85, bill to repeal chapter 137, Laws of 1873-'74, as relates to Jones county, being the special order, was taken up on second reading.

Mr. Holt demanded the previous question, which was sustained.

Bill then failed to pass its second reading—yeas 14, nays 18.

On motion of Mr. Thorne, S. B. 250, bill to be entitled an Act to establish an Industrial and Educational College for colored youths, was taken up and postponed till Friday night at 8 o'clock.

By permission, Mr. Caho introduced S. B. 517, bill to give Pamlico county representation in the General Assembly. Referred to the Committee on Propositions and Grievances.

S. R. 338, resolution to regulate the mode of presenting petitions to the Senate, on second reading.

On motion of Mr. Troy, the resolution was laid on the table.

On motion of Mr. Stewart, S. B. 339, bill for the relief of the Hon. R. H. Cannon, was indefinitely postponed.

S. B. 342, bill to make fraudulent appropriations of property, by bailees, embezzlement, on second reading.

The substitute reported by the Committee on Judiciary was adopted.

The bill then passed its second reading.

The bill was read the third time and passed.

On motion of Mr. Holt, S. B. 343, bill authorizing Justices of the Peace to have official seals, was indefinitely postponed.

H. B. 318, S. B. 347, bill to incorporate the town of Griffinsville, in Union county, on second reading.

Amendment of the Committee on Corporations was adopted.

The bill then passed its second reading.

The bill was then read the third time and passed.

On motion of Mr. Thorne, S. B. 349, bill to remove the political disabilities of William W. Holden, was laid on the table.

The Hon. W. T. Dortch was invited to a seat on the floor of the Senate.

H. B. 335, S. B. 352, bill to require Clerks and Registers of Deeds to provide and keep indexes and cross-indexes, on second reading.

Amendment reported by the Committee on the Judiciary was adopted.

The bill then passed its second reading.

The bill was read third time and passed.

Mr. Troy moved to take up H. R. 466, resolution to investigate the office of the Adjutant General, which was ordered, and the resolution passed its second reading.

The resolution was then read third time and passed.

On motion of Mr. Moore of Mecklenburg, the Senate adjourned.



## FIFTY-FOURTH DAY.

SENATE CHAMBER, Feb. 7th, 1877.

Senate met pursuant to adjournment.

Mr. Robinson, President *pro tem.*, in the chair.

The journal of yesterday was read.

On motion of Mr. Crawford, the roll was called, and the following Senators answered to their names :

Messrs. Albright, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Dunn, Folk, Graham, Heilig, Holt, Hughes, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of New Hanover, Robinson, Roberts, Scales, Stickney, Stewart, Thorne, Wilson, York.—Present 28.

## PETITIONS.

By Mr. Caho : Petitions from the citizens of Goose Creek Township, in regard to returning to Beaufort county. Referred to the Committee on Propositions and Grievances.

Petitions of No. 1 Township, Pamlico county, in regard to the sale of liquor. Referred to the Committee on Propositions and Grievances.

By Mr. Dunn ; Petition from the citizens of the town of Kinston, to amend the charter of the town. Referred to Committee on Corporations.

Reports from standing committees were submitted, as follows :

From Committee on Engrossed Bills,

By Mr. York, as properly engrossed: S. B. 221, a bill to consolidate and revise the charter of the town of Winston, and the amendments thereto.

S. R. 307, H. R. 87, Senate amendment to resolution rela-

tive to carpeting the office of Principal Clerk of the House of Representatives.

S. B. 207, H. B. 309, Senate amendment to a bill to amend Battle's Revisal, chapter 104, section 26.

S. B. 329, a bill to repeal chapter 117, Laws of 1874-'75.

S. B. 334, bill to define punishment.

S. R. 287, resolution in favor of the colored race.

S. R. 295, resolution of instruction to the Keeper of the capitol.

S. B. 285, bill to provide a special commission for the county of Craven.

S. B. 347, H. B. 318, Senate amendments to a bill to incorporate the town of Griffinsville, in Union county.

S. B. 352, H. B. 335, Senate amendments to a bill to require Clerks and Registers of Deeds to provide and keep indexes.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State:

H. B. 230, S. B. 308, an Act to amend chapter 131, Laws of 1874-'75, relative to the charter of Kinston.

H. B. 232, S. B. 410, an Act for the completion of the Railroad from Paint Rock to Warm Springs, in Madison county.

H. B. 185, S. B. 205, an Act for the relief of the tax-payers of Wake county.

H. B. 191, S. B. 267, an Act to prohibit the sale of intoxicating liquors within two miles of Waynesville Academy, in the county of Haywood.

H. B. 327, S. B. 427, an Act to change the time of holding the Superior Courts in the 10th Judicial District.

H. B. 297, S. B. 376, an Act to require sheriffs and tax collectors to make publication of lists of delinquent tax payers.

S. B. 172, H. B. 303, an Act to amend the charter of the town of Newbern.

S. B. 28, H. B. 239, an Act to amend section 2, chapter 18, Battle's Revisal.

H. B. 393, S. B. 468, an Act to empower the commissioners of Chatham county to appoint a tax collector to collect arrears of taxes.

S. B. 313, H. B. 394, an Act to legalize Reddie's River township, in Wilkes county.

H. B. 285, S. B. 467, an Act to incorporate the Bynum Manufacturing Company, in the county of Chatham.

From Committee on Propositions and Grievances,

By Mr. Dortch: H. B. 217, S. B. 296, bill to amend chapter 239, Laws of 1874-'75, recommend it be returned to the House of Representatives for correctly engrossed copy.

H. B. 322, S. B. 355, bill to lay off a public road in the counties of Davidson and Davie, recommending it be returned to the House of Representatives for a correctly engrossed copy.

S. B. 409, bill to establish State Boards of Health, recommending an amendment, and as amended, that it do pass.

From Committee on Agriculture, Mechanics and Mining,

By Mr. Holt: S. B. 457, bill to provide for the annual collection and publication of statistics of the agricultural products and resources of the State, recommending it be referred to the Special Committee to consider that portion of the Governor's message relative to the establishment of a Department of Agriculture.

H. B. 455, bill to protect more effectually the farmers of North Carolina, from imposition in the purchase of fertilizers, recommending that it be referred to the Special Committee appointed to consider that portion of the Governor's message relative to the establishment of a Department of Agriculture.

S. B. 328, bill to establish a Department of Agriculture for the State of North Carolina, recommending it be referred to the Special Committee appointed to consider that portion



of the Governor's message relative to the establishment of a Department of Agriculture.

From Committee on Propositions and Grievances,

By Mr. Albright: S. B. 288, bill to repeal chapter 180, of Public Laws of 1874-'75, recommending a substitute for the bill.

By Mr. Bingham: H. B. 380, S. B. 488, bill to amend chapter 52, section 22, of Battle's Revisal, recommending it do pass.

S. B. 480, bill to prevent the sale of liquor at and near Green Spring Church, recommending an amendment, and as amended, that it do pass.

By Mr. Thorne: S. B. 497, bill to amend the charter of the town of Nashville, in Nash county, recommending it do pass.

By Mr. Scales: S. B. 498, bill to incorporate the town of Huntersville, in the county of Mecklenburg, recommending it do pass.

S. B. 140, bill to incorporate the Trustees of Oxford Colored Educational Association, of Granville county, recommending an amendment, an as amended, recommend it do pass.

From the Committee on Agriculture, Manufacturing and Mining,

By Mr. Stickney: H. B. 368, S. B. 465, bill to secure the better drainage of the low lands of the South Yackin River, in the county of Alexander, recommending it do pass.

From Committee on Propositions and Grievances,

By Mr. Roberts: S. B. 496, bill to prohibit the sale of intoxicating liquor in certain localities in Richmond county, recommending it do pass.

From Committee on Finance,

By Mr. Graham: S. B. 441, bill for the relief of the North Carolina State Agricultural Society, recommending it do pass.

The following named bills and resolutions were intro-

duced, read and passed first time, and were referred or otherwise disposed of, as follows :

By Mr. Dunn : S. B. 518, bill to amend an Act to amend the charter of Kinston, in the county of Lenoir, and for other purposes, ratified the 22d day of March, 1875; referred to the Committee on Corporations.

By Mr. Ferguson : S. B. 519, bill to amend section 4, chapter 81, Laws of 1868-'69, referred to the Committee on Judiciary.

S. B. 530, bill to amend Battle's Revisal, chapter 104, sections 7 and 8, referred to Committee on Judiciary.

By Mr. Roberts : S. B. 521, bill to amend the charter of the town of Lexington, in the county of Davidson, referred to the Committee on Corporations.

By Mr. Finger : S. B. 522, bill to institute the Regents of Education, referred to the Committee on Education. ✓

By Mr. Standford : S. B. 523, bill to regulate the taking of fish in the waters of Neuse River, referred to the Committee on Propositions and Grievances.

By Mr. Moore of Mecklenburg : S. B. 524, bill to repeal a portion of chapter 239, of Laws 1874-'75, referred, with accompanying papers, to Committee on Propositions and Grievances.

Engrossed House substitute for S. B. 176, H. B. 114, being H. B. 336, S. B. 353, bill to incorporate the town of Laurinburg, in the county of Richmond, was taken up on its second reading, it being the special order for to-day.

The substitute was adopted, and the bill passed its second reading.

It was then put upon its third reading and passed.

Message from the House of Representatives,

H. R. 96, S. R. 526, resolution to pay the Governor of the State the proceeds arising from the rent of the property known as the Governor's mansion, referred to the Committee on Propositions and Grievances.

H. R. 106, S. R. 527, resolution authorizing the Engross-



ing Clerk of the House to employ one assistant, referred to the Committee on Propositions and Grievances.

H. B. 345, S. B. 529, bill to incorporate the town of Gatesville, in the county of Gates. Referred to the Committee on Corporations.

H. B. 403, S. B. 528, bill concerning the subscription of Buncombe county, in the Spartanburg and Asheville Railroad. Placed upon the calendar.

Also returning H. B. 217, S. B. 296, bill to amend chapter 239, Laws of 1874-'75.

H. B. 322, S. B. 355, bill to amend an Act to lay off a public road in the counties of Davidson and Davie, and to establish a ferry across Yadkin River, returned to the House this morning for correction; House Committee on Engrossed Bills having examined the same, and reported no error.

The following named bills and resolutions were acted upon as follows:

S. B. 366, bill to provide for arranging disordered records of counties, on second reading and passed.

Put upon its third reading and passed.

S. B. 368, bill to regulate proceedings against owners of mill dams, for injuries done by them, on second reading.

On motion of Mr. Folk, it was recommitted to the Committee on Judiciary.

S. B. 373, bill to punish embezzlement by persons in fiduciary positions, passed its second and third readings.

By consent, Mr. Wilson from the Joint Committee on Printing, reported S. R. 461, resolution in favor of the "News Publishing Company" a majority, recommending it do pass.

Mr. Graham moved to reconsider the vote by which S. B. 85, bill to repeal an Act of 1873-'74, chapter 137, so far as it relates to Jones county, failed to pass its second reading.

Mr. Latham demanded the previous question, which was sustained, and the motion to reconsider prevailed.

Question then recurred upon the passage of the bill on its second reading.



On motion of Mr. Standford, it was postponed until to-morrow at 1 o'clock P. M.

The Hon. L. C. Edwards and the Hon. Edward Cantwell, formerly State Senators, were invited to seats upon the floor of the Senate.

S. B. 173, bill in relation to the Probate of Deeds and Conveyances, and the privy examination of married women, was taken up at 11 o'clock, A. M., on its second reading, it being the special order for that hour.

The bill passed its second reading, and was put upon its third reading.

On motion of Mr. Mebane of Rockingham, it was postponed till to-night at 9 o'clock.

S. B. 374, bill to punish injuries to railroads and canals, on second reading.

Amendments reported by Committee on Judiciary, were adopted.

Bill then passed its second and third readings.

On motion of Mr. Mabson, the rules were suspended, and S. R. 41, resolution on the subject of Asylum in favor of raising a Joint Committee, was taken up.

The substitute reported by the Committee on Insane Asylum, was adopted.

Mr. Dortch moved to amend :

"Also include the Goldsboro Female College ;"

which was adopted.

The resolution was adopted ; and,

On motion of Mr. Standford, it was sent to the House of Representatives without engrossment.

S. B. 376, bill to enable fathers to emancipate their minor children, was taken up on second reading.

On motion of Mr. Scales, it was indefinitely postponed.

S. B. 377, bill for the more effectual protection of religious assemblies, on second reading.

On motion of Mr. Liles, it was indefinitely postponed.

H. B. 374, S. B. 381, bill to amend chapter 72, Laws of 1874-'75, passed its second and third readings.

S. B. 234, bill to regulate the terms of the Superior Courts for the Ninth Judicial District of North Carolina, was taken up on its second reading, it being the special order for to-day.

On motion of Mr. Justice, it was postponed till 8½ o'clock Friday night, and made the special order for that hour.

H. B. 282, S. B. 382, bill to change the days of sale on second reading.

Substitute reported by the Committee on Judiciary was adopted.

Bill then passed its second and third readings.

H. B. 248, S. B. 384, bill to prevent and punish the sale of spirituous liquors within two miles of the Court House, in the town of Webster, passed its second and third readings.

S. B. 388, bill to amend chapter 72, of Battle's Revisal, on second reading.

On motion of Mr. Hughes, it was laid on the table.

S. B. 389, bill to refund to the Richmond and Danville Railroad Company certain taxes unlawfully imposed upon the real estate of the North Carolina Railroad Company, held for rights of way, station places of whatever kind, and work-shop locations, passed its second and third readings.

By consent, Mr. Williams introduced S. B. 530, bill to protect the fishing interest in Big Fishing Creek. Referred, with accompanying papers, to the Committee on Propositions and Grievances.

S. B. 390, bill to amend an Act to incorporate the town of Hickory, in the county of Catawba, ratified December 18th, 1873, passed its second and third readings.

S. B. 391, bill to define the powers and duties of Justices of the Peace, on second reading.

On motion of Mr. Stewart, it was indefinitely postponed.

On motion of Mr. Coke, the vote by which S. B. 339, bill



for the relief of Hon. R. H. Cannon was indefinitely postponed, was reconsidered.

Question recurring upon the motion to indefinitely postpone, by consent, Mr. Stewart withdrew the motion.

Question then recurred upon the passage of the resolution its third reading.

Mr. Justice moved to amend:

Insert after the word "dollars," the words "heretofore deducted out of his salary,"

which was adopted.

Bill then passed its second reading, and was then put upon its third reading.

Mr. Stewart demanded the yeas and nays on its final passage, which were ordered, and the resolution passed its third reading, yeas 26, nays 12, as follows:

*Affirmative*—Messrs. Askew, Boddie, Bryant, Coke. Crawford, Dortch, Dockery, Dunn, Ferguson, Folk, Graham, Holt, Hughes, Johnston, Justice, Latham, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of New Hanover, Robinson, Scales, Standford, Thorne, Williams, Wilson—26.

*Negative*—Messrs. Albright, Bingham, Caho, Finger, Heilig, Liles, Moore of Mecklenburg, Roberts, Stewart, Waddell, Wynne, York—12.

S. B. 392, bill to regulate the stamping of weights and measures, on second reading.

On motion of Mr. Holt it was indefinitely postponed.

S. R. 394, resolution in favor of the Texas Pacific Railway, on second reading.

Substitute reported by the Committee on Internal Improvements was adopted.

Resolution was then adopted.

S. B. 395, bill to restrict the powers of taxation by cities and towns, on second reading.



On motion of Mr. Wilson, it was recommitted to the Committee on Judiciary.

S. B. 396, bill to incorporate Industry Lodge, No. 1, of Pender county, North Carolina, on second reading.

Amendments reported by the Committee on Propositions and Grievances were adopted.

Bill then passed its second and third readings.

H. R. 100, S. R. 397, resolution in regard to the sale of the Governor's mansion, on second reading.

Mr. Dortch moved to amend:

Insert after the word "lots," the words "belonging to the State."

Adopted.

Mr. Holt moved to amend:

Strike out "the 15th of February," and insert "the 26th February."

Adopted.

The resolution, as amended, was adopted.

H. B. 251, S. B. 385, bill to levy a special tax for the county of Beaufort, on second reading and passed, yeas 26, nays 4, as follows:

*Affirmative*—Messrs. Albright, Bingham, Boddie, Coke, Crawford, Dortch, Finger, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Robin-son, Scales, Standford, Stickney, Thorne, Waddell, Williams, Wilson, York—26.

*Negative*—Messrs. Askew, Hughes, Moore of New Hanover, Stewart—4.

H. R. 123, S. R. 500, resolution directing the Treasurer of the State to pay the expenses of the Committee to investigate certain charges against the Solicitor of the 6th Judicial District, on second reading.

On motion of Mr. Latham, it was referred to the Committee on Claims.

S. R. 502, Resolution for the relief of the Hon. R. H. Cannon, now riding the First Judicial District, on second reading and passed; was put upon its third reading.

On motion of Mr. Moore of Mecklenburg, the yeas and nays were called, and the bill passed its third reading, yeas 29, nays 5, as follows:

*Affirmative*—Messrs. Albright, Askew, Boddie, Caho, Coke, Crawford, Dortch, Dockery, Ferguson, Finger, Graham, Holt, Hughes, Johnston, Justice, Latham, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Robinson, Scales, Standford, Stickney, Stewart, Thorne, Waddell, Williams, Wilson—39.

*Negative*—Messrs. Heilig, Liles, Mabson, Roberts, York—5.

On motion of Mr. Graham, the Senate adjourned.

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## FIFTY-FIFTH DAY.

SENATE CHAMBER, Feb. 8th, 1877.

The Senate met pursuant to adjournment.

Mr. Robinson, President *pro tempore*, in the chair.

The Journal of yesterday was, on motion of Mr. Liles, approved without being read.

### PETITIONS AND MEMORIALS.

By Mr. Dortch: Petition from the merchants of the town

of Goldsboro, praying the repeal of the license law, placed upon the Calendar.

By Mr. Crawford: Petition from the merchants of Salisbury, asking the repeal of the *ad valorem* tax, placed upon the Calendar.

By Mr. Nicholson: two petitions from the citizens of Iredell and Rowan counties, in regard to the sale of intoxicating liquors, referred to the Committee on Propositions and Grievances.

By Mr. Liles: Petition from the citizens of Anson county, which was transmitted to the House of Representatives to be considered with S. B. 273.

By Mr. Graham: Petition from the citizens of Durham, asking the repeal of the license tax, placed upon the Calendar.

By Mr. Mebane of Rockingham: Petition from the citizens of Reidsville, in regard to the sale of liquor, placed upon the calendar.

Reports from Standing Committees were submitted, as follows:

From Committee on Engrossed Bills,

By Mr. York, as correctly engrossed: S. B. 374, bill to prevent injuries to railroads and canals.

S. B. 291, bill for the benefit of the farmers in Rockfish township, Columbus county.

S. B. 342, bill to make fraudulent appropriations of property by bailees embezzlement.

S. B. 39, bill to amend an Act entitled an Act to incorporate the town of Hickory.

S. B. 339, bill for the relief of the Hon. R. H. Cannon.

S. R. 502, resolution for the Relief of the Hon. R. H. Cannon.

S. B. 382, H. B. 282, Senate substitute to a bill to repeal sections 10 and 11, chapter 44, Battle's Revisal, and chapter 206, Laws of 1874-'75.



S. B. 397, H. B. 100, Senate amendment to resolution in regard to the Governor's mansion.

S. B. 373, bill to punish embezzlement by persons in fiduciary positions.

From the Committee on Corporations,

By Mr. Albright: H. B. 367, S. B. 515, bill to amend section 5, chapter 44, Private Laws of 1874-'75, recommending it do pass.

By Mr. Seales: S. B. 479, bill to allow the Milton and Sutherlin Narrow Gauge Railroad Company to employ forty convicts, &c., recommending an amendment, and as amended, recommending it do pass.

By Mr. Stanford: H. B. 345, S. B. 529, bill to incorporate the town of Gatesville, in Gates county, recommending an amendment, and as amended, recommending it do pass.

By Mr. Thorne: H. B. 340, S. B. 513, bill to amend chapter 161, Private Laws of 1874-'75, recommending it do pass.

From Committee on Insane Asylum,

By Mr. Stanford: S. B. 495, bill for the support of the Insane Asylum, reporting an amendment, and as amended, recommending that it do pass.

From the Judiciary Committee,

By Mr. Wilson: S. B. 519, bill to amend section 4, chapter 81, Laws of 1868-'69, recommending it do pass.

By Mr. Bingham: H. B. 158, S. B. 512, bill to repeal section 4, chapter 136, of Laws 1874-'75, recommending it do pass.

S. B. 272, Bill to amend section 9, chapter 29, Battle's Revisal, recommending that it do not pass.

From Committee on Corporations,

By Mr. Nicholson: S. B. 521, bill to amend the charter of the town of Lexington, in the county of Davidson, recommending an amendment, and as amended, that it do pass.

From the Joint Committee on Insane Asylum,

By Mr. Standford: A report upon the condition and management of the institution.

Upon motion of Mr. Scales, the report was transmitted to the House of Representatives, with the proposition to print.

From the Committee on the Judiciary,

By Mr. Scales: H. B. 344, S. B. 514, bill to amend chapter 195, of Laws of 1874-'75, recommending it do pass.

By Mr. Graham: S. R. 245, resolution in favor of the Petersburg Railroad Company, recommending it do pass.

The following named Bills and Resolutions were introduced, read and passed first time, and referred or otherwise disposed of, as follows:

By Mr. Crawford: S. R. 531, resolution of instruction to the Committee on Finance, in relation to the expediency of relieving merchants from paying a double tax. Placed upon the calendar.

By Mr. Bingham: S. B. 532, bill to make slander and seduction a misdemeanor. Referred to the Committee on Judiciary.

By Mr. Wynne: S. B. 534, bill to authorize Jos. A. Haywood to make title to lands sold by him for taxes. Referred to the Committee on Propositions and Grievances.

S. B. 535, bill for the relief of the sureties of T. F. Lee. Referred to the Committee on Propositions and Grievances.

By Mr. Caho: S. B. 536, bill to prevent the hauling of seins and drag nets in the waters of Upper Broad Creek. Referred to the Committee on Propositions and Grievances.

Leave of absence was granted to Mr. Coke for one week.

By Mr. Graham: S. R. 537, resolved by the Senate, that during the remainder of the session, no Senator shall speak more than once upon any subject, nor longer than ten minutes, except by leave of a majority of the Senators present, after objection is made.

The rules were suspended, and the resolution put upon its passage.

Mr. Moore of New Hanover, offered to amend:



Strike out "10 minutes" and insert "20 minutes."

Mr. Latham called the previous question, which was sustained.

The amendment of Mr. Moore of New Hanover, was lost.

The resolution was then adopted.

Message from the House of Representatives transmitting H. R. 77, S. R. 538, resolution in regard to Report of State Geologist. Referred to the Committee on Library.

H. R. 129, S. R. 539, resolution of instruction to our Senators and Representatives in Congress, concerning the Freedmens' Savings Bank. Referred to the Committee on Propositions and Grievances.

Mr. Troy introduced S. B. 540, bill for the protection of land and stock against idlers and trespassers. Referred to the Committee on Propositions and Grievances.

The following named bills and resolutions were acted upon as follows:

S. B. 288, bill to repeal chapter 180, of Public Laws, of 1874-'75, on second reading.

The substitute reported by the Committee on Propositions and Grievances, was adopted.

Bill then passed its second reading, and was read the third time and passed.

S. B. 332, bill to prevent the destruction of quails or partridges, on second reading.

Bill was indefinitely postponed.

S. B. 271, bill to amend section 12, chapter 63, of Battle's Revisal, on second reading.

Mr. Latham moved to indefinitely postpone; upon which Mr. Stewart called the yeas and noes, which were ordered, and the motion was lost—yeas 18, noes 15, as follows:

*Affirmative*—Messrs. Albright, Bingham, Cunningham, Dortch, Finger, Graham, Heilig, Holt, Justice, Latham,



Mebane of Rockingham, Scales, Stickney, Short, Williams, Wilson, Wynne, York—18.

*Negative*—Messrs. Askew, Bennett, Boddie, Crawford, Dunn, Folk, Johnston, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Sandifer, Standford, Stewart, Thorne—15.

The question recurred upon the passage of the bill on its second reading,

Upon which Mr. Stewart called the yeas and noes, which were ordered.

Mr. Cunningham demanded the previous question, which was sustained.

The bill failed to pass its second reading—yeas 14, noes 23, as follows:

*Affirmative*—Messrs. Askew, Bennett, Caho, Crawford, Dunn, Ferguson, Folk, Johnston, Mabson, Sandifer, Standford, Stewart, Thorne, York—14.

*Negative*—Messrs. Albright, Bingham, Boddie, Cunningham, Dortch, Dockery, Finger, Graham, Heilig, Holt, Hughes, Justice, Liles, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Roberts, Scales, Stickney, Short, Wilson, Wynne—23.

By consent, Mr. York introduced S. R. 541: *Resolved by the Senate*, That the Senate has been gratified to learn that the report of the death of the Hon. John G. Marler, Senator from the 33d district, is unfounded.

*Resolved, further*, That we tender to him our congratulations upon his recovery, and trust he may long be spared to his family, his constituents, and his State. Placed upon the calendar.

S. B. 350, bill to farm out convicts to labor on the Railroad leading to Rutherfordton, in the county of Rutherford, on second reading, it being the special order for the hour.

The amendments proposed by the Committee on Propositions and Grievances were adopted.

Mr. Holt moved to amend:

"*Provided*, That this Act shall not be of any effect unless at least six hundred convicts are left to work on the Western North Carolina Railroad."

Mr. Mebane of Rockingham, offered to amend the amendment, by striking out "600" and inserting "500."

Mr. Troy moved to amend:

Add to section 1, "and Doctor's bills;" also add after "convicts," in section 3, line 16, the words "who shall be sentenced to the Penitentiary, and."

Mr. Stickney demanded the previous question, which was sustained.

Pending its further consideration, on motion of Mr. Folk the Senate adjourned.

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## FIFTY-SIXTH DAY.

SENATE CHAMBER, Feb. 9th, 1877.

Senate met pursuant to adjournment.

Mr. Robinson, President *pro tem.*, in the chair.

Prayer by the Rev. Mr. Norman, of the city.

The Journal of yesterday was read.

### PETITIONS AND MEMORIALS.

By Mr. Latham: Petition from the merchants of Plymouth. Referred to the Committee on Propositions and Grievances.

By Mr. Wynne: Petitions from the merchants of Raleigh. Referred to the Committee on Propositions and Grievances.

By Mr. Standford: Petition from the citizens of Lenoir, Duplin and Wayne counties, asking for a new county. Referred to the Committee on Corporations.

By Mr. Troy: Petition from the merchants of Wilmington. Referred to the Committee on Finance.

Reports from Standing Committees were submitted, as follows:

From Committee on Engrossed Bills,

By Mr. York, as properly engrossed: S. B. 389, bill to refund to the Richmond and Danville Railroad certain taxes

S. B. 396, bill to incorporate the Sovereigns of Industry Lodge No. 1, Pender county.

S. B. 275, H. B. 166, Senate amendment to bill making it a misdemeanor to carry concealed weapons.

S. B. 366, bill to provide for arranging disordered records of counties.

S. B. 175, bill in relation to Probate of Deeds and other conveyances.

S. R. 394, resolution in relation to a Southern Pacific Railroad.

S. B. 404, bill to incorporate the South Fork Bridge Company.

S. B. 401, H. B. 292, Senate amendment to bill to incorporate King's Mountain Baptist Seminary, Shelby county.

S. B. 403, bill to incorporate the trustees of Lillington Academy, Pender county.

S. B. 288, bill to repeal chapter 180, Public Laws, of 1874-75.

Reports from Standing Committees were submitted, as follows:

From Committee on Corporations,

By Mr. Nicholson: S. B. 386, bill to incorporate the An-



gola Canal and Road Company, recommending it do not pass.

By Mr. Crawford: H. B. 398, S. B. 490, bill to amend section 1, chapter 68, Laws of 1874-'75, recommending it do pass.

By Mr. Sandifer: S. B. 476, bill to incorporate The Orphan's Home of Western North Carolina, recommending certain amendments, and as amended, recommending it do pass.

By Mr. Scales: S. B. 97, bill to regulate the practice of dentistry in the State of North Carolina, reporting a substitute, and recommending the substitute do pass.

From the Committee on Propositions and Grievances,

By Mr. Dortch: H. R. 106, S. R. 527, resolution authorizing the Engrossing Clerk of the House to employ one assistant, recommending it do pass.

H. B. 217, S. B. 296, bill to amend chapter 239, Laws 1874-'75, recommending it do not pass.

S. B. 525, bill to repeal a portion of chapter 239, of Laws of 1874-'75, recommending it do not pass.

S. B. 535, bill for the relief of the sureties of T. F. Lee, recommending its reference to the Judiciary Committee. It was so referred.

By Mr. Roberts: H. B. 322, S. B. 355, bill to amend an Act to lay off a public road in the counties of Davidson and Davie, and to establish a ferry across Yadkin River, reporting amendments, and as amended, recommending it do pass.

H. B. 246, S. B. 402, bill to amend sections 1 and 5, chapter 138, Laws of 1873-'74, recommending it do pass.

S. B. 506, bill to establish Castalia township, in Nash county, recommending it do pass.

By Mr. Dunn: S. B. 505, bill to amend the Laws of 1874-'75, chapter 180, recommending it do not pass.

S. B. 523, bill to regulate the taking of fish in the waters

of Neuse river, reporting amendments, and as amended, recommending it do pass.

From the Committee on Finance,

By Mr. Holt: H. B. 222, S. B. 501, bill to authorize the commissioners of Greene county to levy special tax, recommending it do pass.

By Mr. Graham: H. B. 233, S. B. 516, bill to authorize towns or cities of 5,000 inhabitants and upwards, to levy taxes for the support of graded public schools, recommending its reference to the Committee on Education.

From the Committee on Judiciary,

By Mr. Wilson: S. B. 310, bill to perfect titles to lands sold under decrees from Courts of Equity, reporting a substitute, and recommending the substitute do pass.

From the Committee on Finance,

By Mr. Stewart: S. B. 281, bill for the relief of Pinkney Rollins & Co., recommending it do pass.

From the Committee on Internal Improvements,

By Mr. Short: S. B. 418, bill to aid in the construction of the Cheraw and Salisbury Railroad, reporting certain amendments, and as amended, recommending the bill do pass.

From Committee on Propositions and Grievances,

By Mr. Mabson: H. R. 96, S. R. 526, resolution to pay the Governor of the State the proceeds arising from the rent of the property known as the Governor's Mansion, recommending its reference to the Committee on Claims.

It was so referred.

Message from the House of Representatives transmitting a message from his Excellency, the Governor, relative to the Agricultural Scrip Fund, which was referred to the Committee on Judiciary and ordered to be printed.

Engrossed House amendments to S. R. 41, H. R. 132, resolution on the subject of Asylum, in favor of raising a Joint Committee.

On motion of Mr. Standford, the amendment was conrue-



red in, and the bill was ordered enrolled for ratification.

H. B. 378, S. B. 542, bill to repeal chapter 27, Private Laws, 1874-75, Referred to the Committee on Judiciary.

H. B. 453, S. B. 543, bill to protect the deer between the 15th of January and 1st of September, in the counties of Stokes, Forsythe, Surry, &c., referred to the Committee on Propositions and Grievances.

H. B. 415, S. B. 544, bill to legalize Ivy Hill township, in the county of Haywood, referred to the Committee on Judiciary.

H. B. 220, S. B. 545, bill to authorize and empower the board of commissioners of Bladen county to appoint a tax collector to collect arrears of taxes, referred to the Committee on Finance.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Finger: S. B. 546, bill to incorporate Hickory Lodge, No. 343, A. F. M., in Catawba county, referred to Committee on Corporations.

By Mr. Waddell: S. B. 547, bill to incorporate the town of Littleton, in the counties of Halifax and Warren, referred to the Committee on Corporations.

By Mr. Bingham: S. B. 548, bill to authorize the commissioners of Alleghany county to levy a special tax, referred to the Committee on Finance.

By Mr. Nicholson: S. B. 549, bill to prohibit the sale of spirituous liquors within two miles of Prospect Church, in Iredell county, referred to the Committee on Propositions and Grievances.

S. B. 550, bill to prohibit the sale of spirituous liquors within two miles of Mooresville, in the county of Iredell, referred to the Committee on Propositions and Grievances.

By Mr. Wynne; S. B. 551, bill directing the county commissioners to prepare and publish yearly statements of the



finances of their respective counties, referred to the Committee on Judiciary.

By Mr. York: S. R. 552, resolution of request to the Finance Committee.

On motion of Mr. York, the rules were suspended and the resolution was immediately considered, and failed to pass.

By Mr. Cahoon: S. B. 553, bill to revise and consolidate the public and general laws of the State, referred to the Committee on Judiciary.

S. B. 554, bill to incorporate Richland Lodge, No. 21, Knights of Pythias, in Pamlico county, referred to the Committee on Corporations.

By Mr. Moore, of New Hanover: S. B. 555, bill to protect the tax payers of North Carolina, referred to the Committee on Finance.

S. B. 556, bill to repeal section 82, chapter 102, Battle's Revisal, referred to the Committee on Finance.

S. R. 557, resolution in regard to the convicts of this State, referred to the Committee on Penal Institutions.

The following named bills and resolutions were acted upon as follows:

The unfinished business of yesterday, being S. B. 350, bill to farm out convicts to labor on the railroad leading to Rutherfordton, in the county of Rutherford, was taken up on its second reading.

Question recurred upon the motion of Mr. Johnston, demanding a division of the question upon the amendment offered by Mr. Mebane of Rockingham, to amendment of Mr. Holt to strike out 600 convicts and insert 500 convicts, the question being to strike out.

The motion to strike out prevailed, yeas 19, nays 18, as follows:

*Affirmative*—Messrs. Albright, Bennett, Boddie, Cunningham, Dortch, Dockery, Dunn, Graham, Heilig, Justice,

Latham, Mebane of Rockingham, Mercer, Sandifer, Scales, Stanford, Troy, Waddell, Williams—19.

*Negative*—Messrs. Bingham, Bryant, Caho, Crawford, Finger, Folk, Holt, Hughes, Johnston, Liles, Mabson, Moore of Mecklenburg, Moore of New Hanover, Robinson, Stickney, Stewart, Short, Thorne—18.

The motion of Mr. Mebane of Rockingham, to fill the blank with the words "five hundred convicts," prevailed.

The amendment of Mr. Holt, as amended, was adopted.

The following amendments, submitted by Mr. Troy, were adopted:

Add to section 1, the words, "and Doctor's bills;" and after the word "county," in line 16, section 3, the words, "who shall be sentenced to the Penitentiary, and."

Bill then passed its second reading, and was put upon its third reading.

Mr. Moore of New Hanover, called the yeas and nays on the passage of the bill on its third reading, which were ordered.

Mr. Justice moved to amend:

Strike out "July 1st, 1877," wherever it occurs, and insert "September 1st, 1877."

Adopted.

Also, "strike out proviso of the amendments," being first amendment reported by the Committee on Corporations.

Adopted.

Mr. Williams moved to strike out "500" and insert "600;" upon which

Mr. Moore of New Hanover, called the yeas and noes,



which were ordered, and the amendment was lost—yeas 18, noes 22, as follows:

*Affirmative*—Messrs. Askew, Bryant, Crawford, Ferguson, Finger, Heilig, Holt, Hughes, Johnston, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Stewart, Thorne, Williams, Wynne, York—18.

*Negative*—Messrs. Albright, Bennett, Bingham, Boddie, Caho, Cunningham, Dortch, Dockery, Dunn, Graham, Justice, Latham, Mabson, Mebane of Rockingham, Mercer, Nicholson, Sandifer, Scales, Stickney, Short, Troy, Waddell—22.

S. R. 290, resolution in favor of heating the capitol, on second reading.

On motion of Mr. Stewart, it was laid on the table.

On motion of Mr. Standford, the rules were suspended, and Senate Bill 85, bill to repeal an Act of 1873-'74, chapter 137, so far as it relates to Jones county, was taken up on second reading.

Mr. Standford offered a substitute for the bill.

Mr. Dockery moved to amend the substitute, as follows:

“*Provided*, All female residents of said township, over the age of 18 years, be allowed to vote in said election.”

Lost.

Mr. Graham offered to amend the substitute:

Strike out in lines 1, 2 and 3, of section 3, the words, “votes cast at said election shall have written or printed the words,” and insert the words, “qualified voters of said township shall vote;” and strike out in lines 14, 15 and 16, of section 3, the words, “of the votes so cast shall have written or printed on the same the words,” and insert “the qualified voters of said township shall vote;”

which were adopted.



The substitute was adopted.

Bill then passed its second reading, and was put upon its third reading.

Mr. Caho called for the yeas and noes, which were ordered, and the bill then passed its third reading—yeas 34, noes 4, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Hughes, Johnston, Latham, Liles, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Roberts, Sandifer, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wynne, York—34.

*Negative*—Messrs. Crawford, Dockery, Mabson, Stickney—4.

S. B. 367, bill relating to the town of Goldsboro, was put upon its second reading.

Mr. Moore of New Hanover, moved to postpone until Saturday next, and the bill be printed.

Lost.

Bill passed its second reading, and was put upon its third reading.

Mr. Moore of New Hanover, called the yeas and nays, which were not ordered, and the bill passed its third reading.

H. R. 95, S. R. 398, bill authorizing the sale of the State Arsenal, at Fayetteville, North Carolina, on its second reading and passed.

It was then put upon its third reading.

Mr. Stewart moved to amend :

Strike out "one hundred and seventy-five," and insert "two hundred and seventy-five,"

which was adopted.

The resolution then passed its third reading.

S. R. 541, resolution correcting the report in regard to the death of Senator Marler, was taken up and adopted.

At 1 P. M., S. B. 82, bill for the improvement and reclamation of certain swamp lands in Onslow and other counties, was taken up on its second reading, it being the special order for that hour.

On motion of Mr. Standford, the bill was postponed until Wednesday next, the 14th inst., at 12 M., and made the special order for that hour.

H. B. 272, S. B. 400, bill to amend section 16, chapter 44, Battle's Revisal, on second reading.

Amendments reported by the Committee on Judiciary were adopted.

Bill then passed its second and third readings.

On motion of Mr. Mebane of Rockingham, the rules were suspended, and S. B. 320, bill to authorize the Dan River Navigation Company to employ convicts, was taken up on its second reading, and on his further motion it was postponed until Wednesday next, 14th inst., at 11 o'clock, and made the special order for that hour.

S. B. 407, bill to amend section 2 of article 6, of the Constitution of North Carolina, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 409, bill to establish State Boards of Health, on second reading.

Amendments reported by the Committee on Propositions and Grievances were adopted.

Bill then passed its second reading, and was put upon its third reading.

Mr. Latham moved to amend:

Strike out the fourth section,

which was lost.

Mr. Dortch moved to amend:

Add a new section, to be known as section 8, as follows:  
"This Act shall take effect from and after its ratification,"

which was adopted.

The yeas and nays were ordered, and the bill passed its third reading, yeas 29, nays 6, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Dockery, Ferguson, Finger, Graham, Heilig, Hughes, Justice, Mabson, Moore of Mecklenburg, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams—29.

*Negative*—Messrs. Latham, Mercer, Nicholson, Roberts, Wynne, York—6.

Mr. Scales moved that when the Senate adjourn it do so to meet to-morrow morning at 10 o'clock.

Mr. Latham moved that the Senate do now adjourn, upon which he called the yeas and nays, which were not ordered.

The Senate refused to adjourn.

Mr. Scales' motion, that when the Senate adjourn it do so to meet to-morrow morning at 10 o'clock, under a call of the yeas and nays, passed, yeas 27, nays 12, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Dortch, Ferguson, Finger, Graham, Heilig, Hughes, Justice, Liles, Mabson, Mercer, Moore of Mecklenburg, Roberts, Sandifer, Scales, Stickney, Short, Thorne, Waddell, Williams—27.

*Negative*—Messrs. Albright, Cunningham, Dockery, Johnston, Latham, Moore of New Hanover, Nicholson, Stanford, Stewart, Troy, Wynne, York—12.

Mr. Robinson, President *pro tempore*, announced as Senate branch of Joint Committee on Colored Insane Asylum, Mr. Stanford.

On motion, the Senate adjourned.



## FIFTY-SEVENTH DAY.

SENATE CHAMBER, Feb. 10th, 1877.

Senate met pursuant to adjournment.

Mr. President *pro tempore* Robinson in the chair.

The Journal of Saturday was read and corrected.

The Engrossing Clerk was instructed to insert the words, "be appointed," in S. R. 41, H. R. 132, resolution on subject of Asylum, in favor of raising a Joint Committee.

## PETITIONS AND MEMORIALS.

By Mr. Troy: Communication from the Board of Directors of the State Penitentiary. Referred to the Committee on Penal Institutions.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of Secretary of State:

H. B. 248, S. B. 384, an Act to prevent and punish the sale of spirituous liquors within two miles of the Court House, in the town of Webster.

H. B. 274, S. B. 381, an Act to amend chapter 72, Laws of 1874-'75.

H. R. 114, S. R. 466, resolution to investigate the affairs of the office of the Adjutant General.

S. B. 387, H. B. 377, an Act to authorize the town of Warrenton to subscribe to the stock of the Warrenton Railroad Company, and for other purposes.

S. B. 257, H. B. 385, an Act to incorporate the Biddle University.

H. B. 368, S. B. 465, an Act to secure the better drainage of the low lands of the South Yadkin River, in the county of Alexander, between Deal's Mills and Mehaffy's Saw Mills.

Reports from standing committees were submitted, as follows:

From Committee on Engrossed Bills,

By Mr. York, as correctly engrossed: Senate amendment to H. R. 95, S. R. 398, resolution authorizing the sale of the State Arsenal, at Fayetteville.

Senate amendment to H. B. 272, S. B. 400, a bill to amend section 16, chapter 44, Battle's Revisal.

S. B. 367, bill concerning the town of Goldsboro.

S. B. 350, bill to farm out convicts to labor on the Railroad leading to Rutherfordton, in the county of Rutherford.

From the Committee on Corporations,

By Mr. Nicholson: S. B. 554, bill to incorporate Richland Lodge No. 21, Knights of Pythias, Pamlico county; recommending, as the required thirty days notice had not been given, that the bill be postponed until such notice is given.

By Mr. Seales: S. B. 477, bill to incorporate the Black River Navigation Company, recommending that it do pass.

By Mr. Albright: S. B. 547, bill to incorporate the town of Littleton, in the counties of Halifax and Warren, recommending an amendment, and as amended, it do pass.

By Mr. Thorne: Petition from the citizens of Brooklin, asking to have the town incorporated; reporting that there was no bill accompanying the petition, and asking to be discharged from its further consideration.

By Mr. Crawford: S. B. 546, bill to incorporate Hickory Lodge 343, A. F. M., Catawba county; legal notice not having been given, the committee recommend that the bill do not pass.

By Mr. Moore of New Hanover: S. B. 518, bill to amend the charter of Kinston, in the county of Lenoir, and for other purposes, recommending the bill do pass.

From Committee on Education,

By Mr. Nicholson: S. B. 421, bill to appoint a County Superintendent of Education, recommending it do not pass.

From Committee on Propositions and Grievances,

By Mr. Bingham: S. B. 508, bill to establish a road from Mulberry Gap to the Virginia line, recommending it do pass.

From Committee on Finance,

By Mr. Troy: S. B. 507, bill for the relief of Albert Murray, former sheriff of Alamance county, recommending its passage.

From Committee on Judiciary,

By Mr. Stewart: S. B. 520, bill to amend Battle's Revisal, chapter 104, sections 7 and 8, recommending it do not pass.

S. B. 165, bill to increase the jurisdiction of Justices of the Peace, recommending it be referred to the Joint Select Committee on Justice's Jurisdiction;

S. B. 368, bill to regulate proceedings against owners of mill dams, for injuries done by them, recommending its passage.

Leave of absence was granted to Mr. Roberts until Tuesday next;

To Mr. Holt for to-day; and

To the Secretary until Monday night.

Messrs. Waddell and Dockery were appointed Senate Branch of Joint Committee to investigate the affairs of the Adjutant General's office.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Wynne: S. R. 558, resolution in favor of L. Rosenthal. Referred to Committee on Claims.

S. B. 559, bill to prohibit the selling of intoxicating liquors in Wake county, on church days. Referred to Committee on Propositions and Grievances.

Message from the House of Representatives transmitting H. B. 436, S. B. 560, bill to authorize the Clerk of the Supreme Court to administer oaths. Referred to Committee on Judiciary.

H. B. 488, S. B. 561, bill to repeal and amend certain sec-



tions in chapter 6, Battle's Revisal. Referred to Committee on Judiciary.

On motion of Mr. Mebane of Rockingham, S. B. 458, bill to provide for an inferior court in the several counties of the State, was taken up and placed upon its second reading.

The amendments proposed by the committee were taken up *seriatim*, and adopted.

Bill then passed its second reading; and,

On motion of Mr. Justice was ordered printed, and made the special order for Wednesday, 14th instant, at 11 o'clock.

On motion of Mr. Latham, the vote by which S. B. 407, bill to amend section 2, of article 6, of the Constitution of North Carolina, was indefinitely postponed, was reconsidered, and the motion to indefinitely postpone was withdrawn.

On motion of Mr. Troy, the bill was made special order for next Thursday, 15th instant, at 11 o'clock.

Mr. Moore of New Hanover, rose to a question of privileges; upon which

Mr. Bennett introduced S. R. 562, resolution as to privileges with regard to Hon. W. H. Moore.

Under a suspension of the rules the resolution was adopted, and the President *pro tempore* appointed as the committee, Messrs. Bennett, Folk and Troy.

Mr. Johnston moved to reconsider the vote by which H. B. 419, S. B. 491, bill in relation to the holding of the Superior Courts of the 11th and 12th Judicial Districts, passed its third reading.

Mr. Ferguson moved to lay that motion upon the table, which was adopted.

The following named Bills and Resolutions were acted upon as follows:

H. B. 177, S. B. 238, bill to punish the felling of timber in the Tennessee River, in Macon county, on third reading.

Mr. Robinson moved to amend, by inserting after the word "person," in line 3, of section 1, the word "wilfully,"

and in line 9, of same section, strike out all after the word "and," and insert "upon conviction shall be fined not more than \$50, or imprisoned not more than thirty days," which was adopted.

The bill then passed its third reading.

By permission, Mr. Caho introduced S. B. 563, bill to create a new township in the county of Pamlico; referred to Committee on Judiciary.

S. B. 564, bill to incorporate Stonewall Lodge, No. 3, Independent Order of Mechanics, in Pamlico county, referred to Committee on Corporations.

On motion of Mr. Thorne, S. B. 250, bill to establish an industrial and educational college, for the colored youths of both sexes, was made special order for Friday, 16th, at 12 M.

On motion of Mr. Moore of Mecklenburg, S. B. 234, bill to regulate the time of holding the Superior Courts of the Ninth Judicial District, being the special order for Friday night, was taken up and put upon its second reading.

Mr. Moore of Mecklenburg, offered an amendment.

Mr. Troy moved to amend.

On motion of Mr. Dortch, the bill was referred to the Committee on Judiciary.

On motion of Mr. Scales, H. B. 249, S. B. 335, bill to authorize the several county authorities of this State to farm out convicts, was made special order for Friday night, 16th, at 7½ o'clock.

S. B. 476, bill to incorporate the Orphan's Home, of Western North Carolina, on second reading.

The first amendment offered by the Committee was adopted.

The second amendment was adopted.

Bill then passed its second reading.

Bill was then read third time.

Mr. Liles offered an amendment:

Insert the word "Rev." before "G. W. Spake."

Lost.

Bill then passed its third reading.

By permission, Mr. Troy introduced S. R. 565:

*"Resolved*, That no motion to suspend the rules to take up a bill out of its regular order, shall be entertained, unless the Senator making the motion shall indicate the number of the bill,"

which was adopted.

Mr. Moore of New Hanover, moved to adjourn.

Lost.

H. B. 275, S. B. 411½, bill to repeal chapter 177, of the Private Laws of 1874-'75, on second reading and passed.

The bill then passed its third reading.

S. B. 499, bill to incorporate the town of Burnt Chimney, in Rutherford county, on second reading and passed.

Bill then passed its third reading.

Mr. Dockery moved to adjourn.

Lost.

S. B. 451, bill to incorporate the Pioneer Fire Company, No. 2, of the city of Charlotte, on second reading.

Amendments offered by the Committee were adopted.

Bill passed its second reading.

Bill was then read its third time and passed.

S. B. 412, bill to provide for the repairing of quarentine hospital at Smithville, on second reading and passed.

Bill was then read third time and passed.

S. B. 419, bill to amend chapter 176, Laws of 1873-'74, Battle's Revisal, on second reading and passed.

Bill was then read third time and passed.

On motion of Mr. Thorne, S. B. 423, bill to amend the law of divorce, in sections 4 and 5, chapter 39, Battle's Re-



visal, was made special order for Tuesday, 13th, at 1 o'clock.

Mr. Bennett moved to adjourn, upon which the yeas and nays were ordered, and the Senate refused to adjourn, yeas 14, nays 14, as follows :

*Affirmative*—Messrs. Askew, Bennett, Bingham, Crawford, Dockery, Dunn, Heilig, Liles, Mabson, Mercer, Sandifer, Thorne, Waddell, York—14.

*Negative*—Messrs. Cunningham, Dortch, Graham, Hughes, Johnston, Justice, Latham, Moore of Mecklenburg, Nicholson, Robinson, Scales, Stickney, Stewart, Troy—14.

S. R. 461, resolution in favor of the "News Publishing Company," on second reading and passed.

The resolution was read third time and passed, and, on motion of Mr. Robinson, was ordered transmitted to the House of Representatives without engrossment.

On motion of Mr. Liles, the Senate adjourned.

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## FIFTY-EIGHTH DAY.

SENATE CHAMBER, Feb. 12th, 1877.

Senate met pursuant to adjournment.

Mr. Robinson, President *pro tem.*, in the chair.

Prayer by the Rev. Dr. Marshall, of the city.

The Journal of Saturday was read and approved.

### PETITIONS.

By Mr. Graham : Petition from citizens of Caswell county, asking to be allowed to levy a special tax. Referred to Committee on Corporations.

By Mr. Latham: Petition from citizens of Plymouth, asking repeal of license tax. Referred to Committee on Finance.

By Mr. Sandifer: Petitions from the merchants of Shelby, in Cleveland county, asking repeal of tax. Referred to Committee on Finance.

By Mr. Boddie: Petition from citizens of Nash county, asking that the sale of liquor be prohibited in certain localities. Referred to Committee on Propositions and Grievances.

By Mr. Latham: Petition from merchants in Martin county, asking the repeal of license tax. Referred to Committee on Finance.

The President appointed Mr. Troy temporarily on Committee on Enrolled Bills.

Reports from Standing Committees were submitted, as follows:

From Committee on Education,

By Mr. Troy: S. B. 522, bill to institute the Regents of Education, recommending it do not pass.

From the Committee on Judiciary,

By Mr. Scales: S. B. 429, bill to amend chapter 201, Laws of 1874-'75, recommending it do pass.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State:

S. B. 409, an Act to establish Boards of Health in the State of North Carolina.

H. B. 419, S. B. 491, an Act to change the times of holding the Superior Courts in the 11th and 12th judicial districts.

S. R. 41, H. R. 132, resolution on the subject of Asylum, in favor of raising a Joint Committee.

H. B. 318, S. B. 347, an Act to incorporate the town of Griffinsville, in Union county.

H. B. 335, S. B. 352, an Act to require Clerks and Registers of Deeds to provide and keep indexes and cross-indexes

to names of all parties to all suits, deeds and other instruments of writing, filed and registered in their respective offices.

H. R. 87, S. R. 307, resolution in relation to carpeting the office of Principal Clerk of the House of Representatives.

S. B. 309, H. B. 207, an Act to amend Battle's Revisal, chapter 104, section 26.

H. B. 114, S. B. 176, an Act to incorporate the town of Laurinburg, in the county of Richmond.

S. B. 99, H. B. 417, an Act to incorporate Gideon's Relief Brotherhood Lodge, No. 1, of Fayetteville.

S. B. 1, H. B. 342, an Act to repeal chapter 84, Public Laws, of 1874-'75, and to regulate the rate of interest.

H. B. 275, S. B. 411, an Act to repeal chapter 177, of the Private Laws of 1874-'75.

Reports from Standing Committees were submitted, as follows :

From Committee on Engrossed Bills,

By Mr. York, as correctly engrossed : S. B. 419, bill to amend chapter 176, Laws of 1873-'74.

S. B. 499, a bill to incorporate the town of Burnt Chimney, Rutherford county.

S. B. 412, bill to provide for the repairing of Quarantine Hospital, Smithville.

Senate amendment to H. B. 177, S. B. 268, a bill to punish the felling of timber in Tennessee River, Macon county.

S. B. 85, a bill to regulate the sale of spirituous liquors in Trenton Township, Jones county.

S. B. 479, a bill to allow the Milton and Sutherlin Narrow Gauge Railroad Company to use forty convicts until 15th of December, 1877.

S. B. 451, a bill to incorporate the Pioneer Fire Company No. 2, of the city of Charlotte.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows :



By Mr. Graham: S. B. 566, bill to incorporate the Yanceyville and Milton Narrow Gauge Railroad Company. Referred to Committee on Corporations.

S. B. 567, bill to authorize the Board of County Commissioners of Caswell county to subscribe to the capital stock of the Yanceyville and Milton Narrow Gauge Railroad Company. Referred to the Committee on Finance.

By Mr. Heilig: S. B. 568, bill to levy a special tax in the county of Cabarrus, and for other purposes. Referred to Committee on Finance.

By Mr. Ferguson: S. B. 569, bill to authorize the Judge of Probate to appoint receivers in certain cases. Referred to Committee on Judiciary.

By Mr. Justice: S. B. 570, bill to incorporate Payne's Benevolent Society, in the county of Rutherford. Referred to Committee on Corporations.

By Mr. Folk: S. B. 571, bill to repeal sections 28 and 29, Battle's Revisal. Referred to Committee on Judiciary.

By Mr. Finger: S. B. 573, bill to authorize Rutherford County and other municipal corporations to subscribe to railroad stocks. Referred to Committee on Corporations.

By Mr. Dunn: S. B. 574, bill to authorize the county commissioners of Lenoir county to levy a special tax. Referred to Committee on Finance.

Leave of absence was granted to Mr. Robins indefinitely;

To Mr. Hughes till Wednesday;

To Mr. Holt for to-day;

To Mr. Moore of Mecklenburg, till Thursday;

To Mr. Dockery for ten days;

To the Assistant Secretary till Tuesday night;

To Mr. Wilson for to-day;

To Mr. Justice indefinitely.

By permission, Mr. Stickney introduced S. R. 572, resolution asking for information from Superintendent of Public Instruction. ✓

Under suspension of the rules, the resolutions were read and adopted.

The following named bills and resolutions were acted upon as follows:

S. B. 281, bill for the relief of Pinkney Rollins & Co., on second reading.

Mr. Bingham moved to indefinitely postpone;

Upon which Mr. Johnston called the yeas and noes, which were ordered, and the motion to indefinitely postpone, prevailed—yeas 19, noes 9, as follows:

*Affirmative*—Messrs. Albright, Bennett, Bingham, Boddie, Crawford, Cunningham, Dortch, Finger, Folk, Graham, Latham, Mabson, Mercer, Nicholson, Scales, Stickney, Troy, Williams, York—19.

*Negative*—Messrs. Askew, Caho, Heilig, Johnston, Liles, Moore of New Hanover, Sandifer, Thorne, Wynne—9.

S. B. 411, bill to modify and change the provisions of certain sections of Article VII of the Constitution of the State, on second reading.

Mr. Graham moved to lay on the table, which prevailed.

S. R. 413, *Resolved by the Senate, the House concurring*, That the people of North Carolina earnestly desire a peaceful solution of the question of the Presidential election, and will cordially endorse any peaceful and constitutional method, adopted by the Congress of the United States, for its settlement.

Mr. Scales moved to lay the resolution on the table, which prevailed.

S. B. 415, bill concerning contested elections for members of the General Assembly, on second reading.

The bill failed to pass its second reading for want of a quorum.

On motion of Mr. Nicholson, it was made special order for Tuesday, 13th inst., at 1 o'clock.

S. B. 416, bill in relation to contestants, made special order for Tuesday, 13th inst., at 1 P. M.

S. B. 422, bill to amend Battle's Revisal, concerning lunatics, on second reading.

Mr. Troy moved to strike out section 3.

Lost.

The bill then passed its second reading, and was put upon its third reading.

The bill failed to pass its third reading, yeas 6, nays 21, as follows:

*Affirmative*—Messrs. Askew, Dortch, Finger, Folk, Liles, Troy—6.

*Negative*—Messrs. Albright, Bennett, Bingham, Boddie, Bryant, Cunningham, Heilig, Johnston, Latham, Mabson, Mercer, Nicholson, Sandier, Scales, Stickney, Stewart, Thorne, Williams, Wynne, York—21.

S. R. 475, resolution concerning alleged frauds on the State in the keeping of lunatics.

On motion of Mr. Folk it was indefinitely postponed.

S. B. 478, bill increasing the number of Trustees of the University, on second reading and passed.

Bill was read third time and passed.

S. B. 428, bill to require county commissioners of Jones and Lenoir counties to run and make a portion of the boundary line between said counties, on second reading and passed.

Bill was read third time and passed.

H. B. 320, S. B. 427, Bill to amend section 14, chapter 14, Battle's Revisal, on second reading.

The amendments offered by the Committee were adopted.

The bill then passed its second reading.

Bill was read third time and passed.

S. B. 479, bill to allow the Milton and Sutherlin Narrow Gauge Railroad Company to use forty convicts until December 15th, 1877, on second reading.

The amendments offered by the Committee were adopted.

Bill then passed its second reading.

Bill was read third time.



Mr. Johnston offered an amendment:

“That this Act shall be of no effect unless at least five hundred convicts are left to work on the Western North Carolina Railroad,”

which was accepted.

The bill then passed its third reading.

S. R. 430, resolution in favor of Thomas Hampson, on second reading and passed.

Resolution was read third time and passed.

S. B. 272, bill to amend section 9, chapter 29, Battle's Revisal, on second reading.

On motion of Mr. Troy, it was indefinitely postponed.

S. B. 432, bill to amend section 3, of chapter 93, Laws of 1868-'69, on second reading.

Mr. Bingham moved to lay on the table, which prevailed.

H. B. 273, S. B. 433, bill to incorporate the Currituck Shooting Club, on second reading and passed.

Bill was then read third time and passed.

H. B. 339, S. B. 438, bill to levy a special tax in the county of Tyrrell.

On motion of Mr. Caho, it was made the special order for Tuesday, 13th, at 11 o'clock.

H. B. 343, S. B. 435, bill to extend the time of taking out grants from the State, on second reading, and lost.

H. B. 258, S. B. 437, bill to regulate trials in Justices' Courts, on second reading.

On motion of Mr. Albright, it was indefinitely postponed.

Mr. Mabson moved to adjourn. Lost.

H. B. 330, S. B. 439, bill to incorporate the town of Cleveland Mills, in the county of Cleveland, on second reading, and passed.

Bill was then read third time and passed.

H. B. 324, S. B. 442, bill to amend section 2, chapter 152, Laws of 1871-'72, on second reading.

The amendments offered by the committee were adopted.

Bill passed its second reading.

Read third time and passed.

H. B. 281, S. B. 443, bill providing a fund for the payment of jurors in the counties of Alleghany and Clay, on second reading and passed.

Bill was read third time.

Mr. Folk offered an amendment:

Before the words "collected by the sheriff," insert the words, "taxed by the Clerk."

Adopted.

Bill then passed its third reading.

By permission, Mr. Finger made report from Committee on Claims: H. R. 123, S. R. 500, resolution directing the Treasurer to pay the expenses of the committee to investigate certain charges against the Solicitor of the 6th Judicial District, recommending it do pass.

Under suspension of the rules, the resolution was read second time and passed.

H. B. 346, S. B. 444, bill to incorporate Hunting Creek Lodge No 299, F. A. M., in the county of Iredell, on second reading and passed.

Bill was then read third time and passed.

H. B. 354, S. B. 445, bill to run and establish the dividing line between the counties of Wayne and Green, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. R. 494, resolution relative to *sine die* adjournment, on second reading.

Mr. Liles offered an amendment:

“Strike out all the preamble;”

which was adopted.

Mr. Latham moved to amend :

Strike out “third,” and insert “first.”

Mr. Troy asked for a division of the question, which was ordered, and the Senate refused to strike out.

Mr. Graham called for the previous question, which was sustained.

The question recurring upon the passage of the resolution on its second reading, Mr. Cunningham called for the yeas and nays, which were ordered, and the resolution passed its second reading, yeas 23, nays 9, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Johnston, Liles, Mercer, Nicholson, Scales, Stickney, Stewart, Troy, York—23.

*Negative*—Messrs. Caho, Dunn, Folk, Latham, Mabson, Sandifer, Thorne, Waddell, Wynne—9.

Resolution was read third time.

Mr. Troy moved to amend :

Strike out “providing that if the General Assembly remain, the members shall draw no pay after the 3rd of March next,”

which was adopted.

The resolution then passed its third reading.

H. B. 328, S. B. 446, bill to authorize the commissioners of the county of Swain to levy a tax to build a bridge, on second reading and passed, yeas 30, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Johnston, Latham, Liles,



Mabson, Mercer, Nicholson, Robinson, Sandifer, Scales, Stickney, Stewart, Thorne, Troy, Waddell, Williams, York—30.

*Negative*—0.

H. B. 315, S. B. 447, bill to authorize the county commissioners of Graham county to levy a special tax, on second reading and passed, yeas 27, nays 0, as follows: .

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dunn, Ferguson, Graham, Heilig, Johnston, Latham, Liles, Mercer, Nicholson, Robinson, Sandifer, Scales, Stickney, Stewart, Thorne, Troy, Waddell, York—27.

*Negative*—0.

On motion of Mr. Liles, the Senate adjourned.

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EVENING SESSION.

February 12th, 1877.

The Senate met pursuant to adjournment.

Mr. Robinson, President *pro tempore*, in the chair.

Message from the House of Representatives, transmitting a message from his Excellency, Gov. Vance, with the accompanying resignation of D. M. Carter and W. L. Saunders, as trustees of the University, and proposing to go into an election to fill the vacancies thus created, on Friday next. Placed on the Calendar.

The following bills and resolutions were acted upon, as follows:

H. B. 325, S. B. 436, bill to authorize the commissioners of Hyde county to levy a special tax, on third reading.

On the call of the roll upon the passage of the bill on its

third reading, it appearing that not a quorum had voted,

On motion of Mr. Crawford, a call of the House was ordered, and the following Senators answered to their names :

Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Cahoon, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Latham, Liles, Nicholson, Robins, Robinson, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne, York—Present 34.

On motion of Mr. Crawford, further proceedings under a call of the House, was dispensed with.

The bill then passed its third reading—yeas 27, noes 0, as follows :

*Affirmative*—Messrs. Albright, Bingham, Boddie, Bryant, Cahoon, Crawford, Cunningham, Dortch, Ferguson, Graham, Heilig, Holt, Johnston, Latham, Liles, Nicholson, Robins, Robinson, Sandifer, Scales, Stewart, Short, Thorne, Troy, Wilson, Wynne, York—27.

*Negative*—0.

H. B. 251, S. B. 385, bill to levy a special tax for the county of Beaufort, on third reading and passed—yeas 28, noes 0, as follows :

*Affirmative*—Messrs. Albright, Bennett, Bingham, Boddie, Bryant, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Latham, Liles, Nicholson, Robins, Robinson, Sandifer, Scales, Stewart, Short, Thorne, Troy, Waddell, Wilson, York—28.

*Negative*—0.

H. R. 311, S. R. 448, resolution in relation to the letter-book of the Executive of North Carolina, passed its second and third readings.

S. B. 547, bill to incorporate the town of Littleton, in the counties of Halifax and Warren, was, on motion of Mr. Waddell, taken up on its second reading.

The amendments reported by the Committee on Corporations were adopted.

Mr. Graham moved to amend section 4, by substituting the following :

“Section 4. *Be it further enacted*, That every man who shall have resided in the State twelve months next preceding the election, and ninety days in said town, shall be deemed an elector,”

which was adopted.

Mr. Dortch moved to strike out section three, which was adopted.

Bill then passed its second reading, and was put upon its third reading.

Mr. Sandifer moved to amend :

Add to section 1, after the word “election,” the words “and qualified,”

which was adopted.

Bill then passed its third reading.

On motion of Mr. Caho, the vote by which H. B. 339, S. B. 438, bill to levy a special tax in the county of Tyrrell, was made the special order for February 13th, at 11 o'clock, was reconsidered.

Question recurred upon the passage of the bill its second reading.

It passed, yeas 31, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Latham, Liles, Nicholson, Robins, Robinson, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, York—31.

*Negative*—0.

S. B. 175, bill to amend sections 75 and 76, of chapter 33,



Battle's Revisal, and to regulate the manner of summoning jurors in capital causes, on second reading.

Mr. Dunn moved the bill be postponed, and ordered to be printed, which was lost.

Mr. Ferguson offered a substitute for the bill, which was adopted.

On motion of Mr. Stewart, the bill was recommitted to the Committee on Judiciary.

S. B. 97, bill to regulate the practice of dentistry in the State of North Carolina, on second reading.

Substitute reported by the Committee on Corporations was adopted.

On motion of Mr. Cunningham, the bill was made the special order for to-morrow at 11 o'clock.

S. B. 507, bill for the relief of Albert Murray, former sheriff of Alamance county, on second reading and passed.

It was then put upon its third reading.

Mr. Albright moved to amend:

Insert the word "guardian" after the word "executor," in section 2,

which was adopted.

Bill then passed its third reading.

S. B. 441, bill for the relief of the North Carolina State Agricultural Society, on second reading.

On motion of Mr. Holt, it was postponed until Wednesday next, 14th inst., at 11½ o'clock A. M.

S. B. 450, bill to appoint a special commission for the county of New Hanover, on second reading.

Mr. Waddell moved to refer to the Committee on Judiciary.

Lost.

Bill passed its second reading, and was put upon its third reading.

Mr. Sandifer moved to amend:

Strike out in section 2, the words "entitled to a compensation of not less than \$3," and insert the words "paid three dollars,"

which was adopted, and the bill passed its third reading.

S. B. 472, bill to establish normal schools, on second reading.

Mr. Troy offered the following, to take the place of section two: ✓

Section 2. That it shall be the duty of the Board of Education to establish a normal school at Fayetteville, North Carolina, and if proper terms can be obtained, to be in connection with the Howard High School, now in operation at that place, where the young men of the colored race, from the age of 15 to 21 years, who may be able to spell, read and write, and understand the first principles of arithmetic, geography and English grammar, shall be admitted, free of tuition, for the purpose of being advanced in learning and trained for the duties of teaching in common schools; and before any person shall be so admitted, he shall enter into a written obligation that he will apply himself, as far as practicable, to the occupation of teaching, for a term not less than three years.

Sec. 3. That for the purpose of carrying out the provisions of this Act, the trustees of said school shall fix upon a fair and usual rate of tuition, to be charged against students so admitted, which shall be paid by the said Board of Education, by warrant upon the Public Treasurer, but which warrant shall not exceed in the aggregate the sum of two thousand dollars in any one year.

Sec. 4. That the trustees of said school shall require the enforcement of all such rules and regulations as the Board of Education may adopt and recommend; and in no instance shall any political or sectarian influences be tolerated.

Sec. 5. That section —, chapter —, Laws of —, be amended by inserting "two" where the word "one" now is.

Mr Nicholson offered a substitute for section one:

Sec. 1. That it shall be lawful for the State Board of Education to establish a normal school in connection with the high school at Olin, in Iredell county, for the purpose of teaching and training young men of the white race, between the ages of 15 and 21 years, for teachers of the common schools of this State. It shall be the duty of the teachers of said high school at Olin, to keep a true account of the number of young men so taught, the length of time each one is taught, and charge to the State Board of Education the amount of said teaching, at the regular tuition paid for such students; and for the purpose of defraying the expenses of tuition of such young men so taught at said normal school, the State Board of Education is hereby authorized and instructed to draw upon the Treasury, out of any moneys not otherwise appropriated, an amount not to exceed one thousand dollars annually, for the years 1877 and 1878, to be applied to the above named purpose, and no other.

Mr. Stewart moved to lay the bill on the table, which was lost.

Mr. Troy demanded the previous question upon the passage of the bill, which was not sustained.

On motion of Mr. Holt, the whole matter was recommitted to the Committee on Finance.

H. B. 217, S. B. 296, bill to amend chapter 239, Laws of 1874-'75, on second reading.

On motion of Mr. Bingham, it was indefinitely postponed.

H. R. 106, S. R. 527, resolution authorizing the Engrossing Clerk of the House to employ one assistant, failed to pass.



Mr. Folk moved to reconsider the vote by which the bill failed to pass, and moved the further consideration of that motion be postponed, which prevailed.

S. B. 525, bill to repeal a portion of chapter 239, Laws of 1874-'75, on second reading.

On motion of Mr. Liles, it was indefinitely postponed.

On motion of Mr. Holt, the Senate adjourned.

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## FIFTY-NINTH DAY.

SENATE CHAMBER, Feb. 13th, 1877.

Senate met pursuant to adjournment.

Mr. Robinson, President *pro tempore*, in the chair.

Prayer by Rev. Dr. Vaughan, of the city.

The reading of the journal of yesterday was dispensed with.

### PETITIONS AND MEMORIALS.

By Mr. Stickney: Petition from the citizens of Edgecombe county. Referred to the Committee on Finance.

By Mr. Johnston: Petitions from the citizens of Madison county. Referred to Committee on Propositions and Grievances.

Reports from standing committees were submitted, as follows:

From Committee on Engrossed Bills,

By Mr. York, as properly engrossed: S. B. 428, bill to require the county commissioners of Jones and Lenoir

counties to run and mark a portion of boundary line between said counties.

Senate amendments to H. B. 324, S. B. 442, bill to amend section 2, chapter 152, Laws of 1871-'72.

S. R. 494, resolution relating to *sine die* adjournment.

S. R. 430, resolution in favor of Thomas Hampson.

Senate amendment to H. B. 281, S. B. 443, a bill providing a fund for the payment of jurors in Alleghany and Clay counties.

Senate amendments to H. B. 320, S. B. 427, bill to amend section 14, chapter 14, Battle's Revisal.

S. B. 478, bill increasing the number of trustees of the University.

S. B. 476, bill to incorporate the Orphan's Home in Western North Carolina.

S. B. 450, bill to appoint a special commission for the county of New Hanover.

From the Committee on Enrolled Bills,

By Mr. Troy, as correctly enrolled : H. B. 330, S. B. 439, an Act to incorporate the town of Cleveland Mills, in the county of Cleveland.

H. B. 325, S. B. 436, an Act to authorize the county commissioners of Hyde county to levy a special tax.

H. B. 346, S. B. 444, an Act to incorporate Hunting Creek Lodge No. 299, F. A. M., in the county of Iredell.

H. B. 273, S. B. 433, an Act to incorporate the Currituck Shooting Club.

H. R. 123, S. R. 500, resolution directing the Treasurer of the State to pay the expenses of the committee to investigate certain charges against the Solicitor of the Sixth Judicial District.

From the Committee on Judiciary,

By Mr. Bingham : S. B. 460, bill to give widows further time to dissent from their husbands' wills, recommending it do not pass.

By Mr. Robins : H. B. 378, S. B. 542, bill to repeal chap-

ter 27, Private Laws, of 1874-'75, recommending it do pass.

By Mr. Folk : S. B. 395, bill to restrict the powers of taxation by cities and towns, recommending it do not pass.

By Mr. Ferguson : H. B. 415, S. B. 544, bill to legalize Ivy Township, in the county of Haywood, reporting an amendment, and recommending as amended it do pass.

S. B. 563, bill to create a new township in the county of Pamlico, recommending it do pass.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows :

By Mr. Caho : S. B. 575, bill to amend chapter 85, Battle's Revisal. Referred to the Committee on Penal Institutions.

By Mr. York : S. R. 576, resolution of instruction to the Committee on State Debt. Placed upon the Calendar.

By Mr. Sandifer : S. R. 577, resolution creating a special committee to divide the State into nine judicial districts. Placed upon the Calendar.

By Mr. Scales : S. B. 578, bill to amend the charter of the town of Reidsville, Rockingham county. Referred to the Committee on Judiciary.

By Mr. Short : S. B. 579, bill to amend chapter 77, Private Laws of 1871. Placed upon the Calendar.

By Mr. Stickney : S. B. 580, bill to repeal section 80, chapter 102, Battle's Revisal. Referred to the Committee on Finance.

Leave of absence was granted Mr. Mabson for five days.

The following named bills and resolutions were acted upon, as follows :

H. B. 246, S. B. 402, bill to amend sections 1 and 5, chapter 138, Laws of 1873-'74, on second reading.

Mr. Stewart moved to amend :



Strike out the words "one month," in section 2, line 23, and insert "thirty days."

Adopted.

Bill then passed its second and third readings.

S. B. 310, bill to perfect titles to lands sold under decrees of Courts of Equity, on second reading.

The substitute reported by the Committee on Judiciary was adopted.

Bill then passed its second and third readings.

H. B. 315, S. B. 447, bill to authorize the county commissioners of Graham county to levy a special tax, on third reading and passed—yeas 29, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Finger, Folk, Graham, Heilig, Holt, Latham, Liles, Nicholson, Robins, Robinson, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wynne, York—29.

*Negative*—0.

H. B. 328, S. B. 446, bill to authorize the commissioners of the county of Swain to levy a tax to build a bridge across Tuckaseegee River, on third reading and passed—yeas 31, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Latham, Liles, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wynne, York—31.

*Negative*—0.

H. B. 339, S. B. 438, bill to levy a special tax in the county of Tyrrell, on third reading and passed—yeas 30, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Latham,

Liles, Nicholson, Robins, Robinson, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, York—30.

*Negative*—0.

S. B. 418, bill to aid in the completion of the Cheraw and Salisbury Railroad, on second reading.

The amendments reported by the Committee on Internal Improvements were adopted.

Bill passed its second reading, and was put upon its third reading.

Mr. Albright moved to amend:

Insert at the end of section 1, "and that said company shall feed, clothe, guard and furnish all necessary medical aid to said convicts, at the expense of the said corporation,"

which was adopted.

Mr. Graham moved to amend:

"That said convicts shall be at all times under the control and discipline of the sheriff of Anson county,"

which, by consent, he withdrew.

Bill then passed its third reading.

Message from the House of Representatives:

H. B. 459, S. B. 581, bill to submit to the qualified voters of the town of Shelby, Cleveland county, the question of "Prohibition" or "No Prohibition." Referred to Committee on Propositions and Grievances.

House amendments to S. B. 67, H. B. 407, bill for the speedy completion of the Western North Carolina Railroad, &c. Referred to the Committee on Internal Improvements.

Mr. Liles, from Joint Committee on Library, submitted a report, which was placed upon the calendar.

On motion of Mr. Johnson, the order referring the House amendments to S. B. 67, H. B. 407, bill for the speedy completion of the Western North Carolina Road, &c, to the

Committee on Internal Improvements, was reconsidered, and the bill was made the special order for to-morrow at 1 o'clock.

S. B. 97, bill to regulate the practice of dentistry in North Carolina, was taken up on its second reading, it being the special order for to-day.

Mr. Troy moved to amend :

Add to section 7, the words, "*Provided*, That the provisions of this Act shall not be construed to authorize the said Board or State Dental Association to establish and enforce any rates of prices for work in dentistry ;"

which was adopted.

Bill then passed its second reading, and was put upon its third reading and passed—yeas 27, noes 4, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Boddie, Bryant, Caho, Cunningham, Dortch, Dunn, Finger, Folk, Graham, Heilig, Holt, Johnston, Liles, Robins, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson—27.

*Negative*—Messrs. Bingham, Latham. Nicholson, Wynne.—4.

On motion of Mr. Stewart, the vote by which H. B. 343, S. B. 435, bill to extend the time of taking out grants from the State, failed to pass its second reading, was reconsidered.

Question recurred upon the passage of the bill its second reading.

Mr. Bingham moved to amend :

Strike out the words "several counties in the State," and insert in lieu thereof "counties of Haywood, Watauga, Ashe and Alleghany."

Mr. Folk moved to amend the amendment :

Add the county of Caldwell,

which was accepted.



Mr. Bingham's amendment was adopted.

Bill then passed its second reading, and was put upon its third reading.

Mr. Troy moved to amend:

Strike out "1879" and insert "1878."

Adopted.

Mr. Waddell called the yeas and nays, which were ordered.

Mr. Robinson moved to amend:

Strike out the words "counties of Haywood, Watauga, Ashe, Alleghany and Caldwell," and insert the words "several counties of the State."

Adopted.

Bill then failed to pass third reading, yeas 10, nays 20, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Bryant, Ferguson, Folk, Johnston, Nicholson, Robinson, Thorne—10.

*Negative*—Messrs. Albright, Boddie, Caho, Cunningham, Dortch, Graham, Heilig, Holt, Latham, Liles, Robins, Sandifer, Scales, Stickney, Stewart, Short, Troy, Waddell, Wilson, Wynne—20.

The motion of Mr. Folk, to reconsider the vote by which H. R. 106, S. R. 527, resolution authorizing the Engrossing Clerk of the House to employ one assistant, failed to pass its second reading, last night, prevailed.

Question recurred upon the passage of the resolution its second reading.

Mr. Troy moved to amend:

Strike out "30th of December" and insert "15th of February."

Mr. Stewart moved to amend the amendment :

Strike out "15th of February" and insert the "6th of February."

Accepted.

Mr. Robinson asked for a division of the question to strike out, which was ordered,

Upon which Mr. Finger called the yeas and nays, which was sustained, and the motion to strike out prevailed, yeas 23, nays 12, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Cunningham, Finger, Graham, Johnston, Latham, Liles, Moore of New Hanover, Nicholson, Robins, Sandifer, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, Wynne, York—23.

*Negative*—Messrs. Bennett, Caho, Crawford, Dortch, Dunn, Ferguson, Folk, Heilig, Holt, Robinson, Seales, Williams—12.

Mr. Dunn moved to amend :

Strike out "6th of February" and insert the "1st of February."

Adopted.

Mr. Troy moved to amend by fixing the *per diem* at \$3 per day, upon which

Mr. Cunningham called the yeas and nays, which were ordered, and the amendment was lost, yeas 12, nays 21, as follows :

*Affirmative*—Messrs. Albright, Bingham, Boddie, Cunningham, Johnston, Latham, Nicholson, Robins, Stiekney, Troy, Waddell, York—12.

*Negative*—Messrs. Askew, Bennett, Caho, Crawford, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig,

Holt, Liles, Robinson, Sandifer, Scales, Stewart, Thorne, Williams, Wilson, Wynne—21.

Bill then passed its second and third readings.

On motion of Mr. Scales, the report submitted by the Joint Committee on Library, this morning, was ordered to be transmitted to the House of Representatives.

On motion of Mr. Short, the rules were suspended and S. B. 579, Bill to amend chapter 77, Private Laws of 1871, was taken up and passed its second and third readings.

On motion of Mr. Cahoon, the Senate adjourned.

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## SIXTIETH DAY.

SENATE CHAMBER, Feb. 14th, 1877.

Senate met pursuant to adjournment.

Mr. Robinson, President *pro tem.*, in the chair.

The reading of the journal of yesterday was dispensed with.

### PETITIONS AND MEMORIALS.

By Mr. Wilson: Petition from merchants of Winston and Salem. Referred to the Committee on Finance;

Petition from citizens of Germanton, Stokes county, concerning the sale of liquor. Referred to the Committee on Propositions and Grievances.

By Mr. Dortch: Petition from merchants and business men of Goldsboro. Placed upon the Calendar.

By Mr. Bryant: Petition from citizens of Halifax. Referred to the Committee on Finance.



By Mr. Short: Petition from citizens of Littleton for repeal of liquor law. Placed upon the Calendar.

By Mr. Robins: Petition from citizens of Randolph county, asking a tax be laid on dogs for the protection of sheep raising. Referred to the Committee on Agriculture, Mechanics and Mining.

Leave of absence was granted to Mr. Wilson until Friday next;

To Mr. Coke for the balance of the week.

Reports from Standing Committees were submitted, as follows:

From Committee on Engrossed Bills,

By Mr. York, as correctly engrossed: S. B. 547, a bill to incorporate the town of Littleton, in the counties of Warren and Halifax.

S. B. 507, a bill for the relief of Albert Murray, former sheriff of Alamance county.

S. B. 579, a bill to amend chapter 77, Private Laws, of 1870-'71.

S. B. 418, a bill to aid in the completion of the Cheraw and Salisbury Railroad.

S. B. 310, a bill to perfect titles to land sold under the order of any court in the State prior to 1868, and for other purposes.

H. B. 246, S. B. 402, Senate amendments to a bill to amend sections 1 and 5, chapter 138, Laws of 1873-'74.

S. R. 527, H. R. 106, Senate amendments to a resolution authorizing the Engrossing Clerk of the House to employ an assistant.

From Committee on Propositions and Grievances,

By Mr. Dortch: H. B. 453, S. B. 543, bill to protect deer between the 15th of January and 1st of September, in the counties of Stokes, Forsythe, Surry, &c., recommending it do pass.

S. B. 540, bill for the protection of land and stock against idlers and trespassers, recommending it do pass.

S. B. 517, bill to give Pamlico county a representative in the House of Representatives, recommending its reference to the Committee on Judiciary.

It was so referred.

H. R. 129, S. R. 539, resolution of instruction to our Senators and Representatives in Congress, concerning the Freedman's Savings Bank, recommending it be adopted.

By Mr. Albright: S. B. 549, bill to prohibit the sale of spirituous liquors within two miles of Prospect Church, in the county of Iredell, recommending the bill do pass.

S. B. 550, bill to prohibit the sale of spirituous liquors within two miles of the church and school at Mooresville, in the county of Iredell, recommending its passage.

By Mr. Bingham: S. B. 470, bill to abolish the county of Pamlico, recommending it do not pass.

From Committee on Finance,

By Mr. Holt: S. B. 568, bill to levy a special tax in the county of Cabarrus, and for other purposes, recommending it do pass.

By Mr. Robins: H. B. 353, S. B. 463, bill to authorize the commissioners of Washington county to levy a special tax, and for other purposes, recommending it do not pass.

By Mr. Ferguson: S. B. 556, bill to repeal section 82, chapter 102, Battle's Revisal, asking to be discharged from its further consideration.

H. B. 220, S. B. 545, bill to authorize and empower the the board of county commissioners of Bladen county to appoint a tax collector to collect arrears of taxes, recommending it do pass.

S. B. 548, bill to authorize the commissioners of Alleghany county to levy a special tax, recommending it do pass.

S. B. 574, bill to authorize the county commissioners of Lenoir to levy a special tax, and for other purposes, recommending it do pass.

From the Committee on Judiciary,

By Mr. Wilson: S. B. 553, bill to revise and consolidate



the Public Laws of the State, recommending it do not pass.

By Mr. Stewart: H. B. 436, S. B. 560, bill to authorize the Clerk of the Superior Court to administer oaths, reporting a substitute and recommending the substitute do pass.

From committee on Claims,

By Mr. Finger: S. B. 33, bill for the relief of Pinkney Rollins & Co., recommending it do not pass.

By Mr. Caho: S. R. 315, resolution in favor of W. F. Wasson, former sheriff of the county of Iredell, reporting a substitute and recommending the substitute do pass.

By Mr. Finger: H. R. 96, S. R. 526, resolution to pay the Governor of the State the proceeds arising from the rent of the property known as the Governor's mansion, asking to be discharged from its further consideration.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Wilson: S. B. 582, bill to prohibit the sale of distilled spirits within two miles of the Methodist Church in Germanton, in the county of Stokes, referred to the Committee on Propositions and Grievances.

By Mr. Askew: S. R. 583, resolution requiring the Committee on County Government to report a bill to re-establish Wardens' Courts, for the care, support and management of the poor of the several counties of the State, referred to the Committee on County Government.

By Mr. Latham: S. B. 584, bill to amend section 10, chapter 182, of the Laws of 1872-'73, referred to the Committee on Corporations.

By Mr. Troy: S. B. 585, bill to amend Battle's Revisal, concerning lunatics, referred to the Committee on Judiciary.

By Mr. Robins: S. B. 586, bill in regard to sundry townships in the county of Randolph, placed upon the Calendar.

By Mr. Bryant: S. B. 587, bill to repeal chapter 255, of



the laws of the General Assembly of 1874-'75, referred to the Committee on Propositions and Grievances.

By Mr. Troy: S. B. 588, bill to provide for a new registration of the voters, referred to the Committee on Privileges and elections.

By Mr. Roberts: S. B. 589, bill to define and fix the terms of office of certain officers, referred to the Committee on Judiciary.

By Mr. Holt: S. R. 590, resolution requiring and providing for the indexing of the Journals of the two houses of the General Assembly, referred to the Committee on Finance.

By Mr. Ferguson: S. R. 591, resolution of instruction to the Keeper of the Capitol, referred to the Committee on Public Buildings and Grounds.

By Mr. Short: S. B. 572, bill to repeal so much of chapter 239, Acts of 1874-'75, as relates to Littleton Warehouse, now known as the town of Littleton, referred to the Committee on Propositions and Grievances.

By Mr. Stewart: S. B. 593, bill to drain wet lands, referred to the Committee on Judiciary.

By Mr. Waddell: S. B. 596, bill to amend chapter 19, Private Laws of 1872-'73, referred with petition to Committee on Propositions and Grievances.

On motion of Mr. Troy, the Enrolling Clerk was directed to correct a clerical error in section — of S. B. 291.

The following named Bills and Resolutions were acted upon as follows:

At 10 o'clock and 45 minutes,

S. B. 458, bill to provide for an Inferior Court in the several counties of the State, to be styled the Court of Common Pleas, was taken up on its third reading, it being the special order for that hour.

On motion of Mr. Holt, the bill was considered by sections.

Sections 1, 2 and three were adopted.

Section 4,

Mr Troy moved to amend :

Strike out in line one, the words "by reason of bad weather, or for other cause," and insert "for any sufficient cause,"

which was adopted.

As amended, section 4 was adopted.

Section 5,

Mr. Wilson moved to amend :

Strike out in line 14, the word "summons," and insert "subpœnas."

Adopted.

As amended, section 5 was adopted.

Section 6,

Mr. Askew moved to amend :

Insert after the word "horse," in line 6, the words "mule, jack and jennett,"

which was lost.

Mr. Sandifer moved to amend :

Insert after the word "rape," in line 5, the words "assault with intent to commit rape, robbery,"

Adopted.

As amended, section 6 was adopted.

Section 7 was adopted.

Section 8,

Mr. Troy moved to amend :

Insert after the word "appeals," in line 2, the words "in criminal cases."

Adopted, and as amended, section 8 was adopted.

Sections 9 and 10 were adopted.

Section 11,

Mr. Dunn offered to amend :

Strike out all of lines 1 and 2, and down to the word "act," in line 3, and insert "the qualified voters of each county."

Lost.

Mr. Liles moved to amend :

Strike out in line 4, the words "and he," and insert "who;" and strike out in line 5, the words "a book," and insert "books."

Adopted.

As amended, section 11 was adopted.

Section 12,

Mr. Troy moved to amend :

Strike out all after the word "courts," in line 8.

Adopted.

Mr. Troy moved to amend :

Strike out in line 6, the words "wherein he shall be appointed."

Adopted.

As amended, section 12 was adopted.

Section 13,

Mr. Mebane of Rockingham moved to amend :



Strike out the word "but," in line 4.

Adopted.

Mr. Dunn moved to amend :

Strike out "\$3," in line 4, and insert "\$2."

Lost.

As amended, section 13 was adopted.

Section 14 was adopted.

Question recurring upon the passage of the bill as a whole, its third reading, Mr. Troy moved to amend section one :

Strike out the words "Court of Common Pleas," and insert the words "County Criminal Court," and amend all subsequent sections to conform to this amendment.

Mr. Latham moved to amend the amendment of Mr. Troy :

Strike out the word "county,"

which prevailed.

Mr. Mebane of Rockingham, offered the following substitute for the amendment of Mr. Troy :

Amend title by striking out all after the word "State," and the bill by substituting the words "inferior courts," in place of words "courts of common pleas," so that the court shall be styled "inferior courts."

Adopted.

Mr. Troy moved to amend section 11, by adding after the word "pleas," in line 4, the following :

"Who shall enter into a good and sufficient bond in a sum to be fixed, and with the sureties thereto to be approved by the justices of the county, for the faithful discharge of all the duties of his office."

Adopted.

Mr. Sandifer moved to amend section 2 :

Strike out the proviso, and insert the following : "*Provided*, That any order changing the time of the meeting of said court, shall be made at least three months before the next regular meeting of said court, which order shall be published at the court house door and one public place in each township for three months ; or in lieu of the publication in the townships, in some newspapers published in the county."

Lost.

Mr. Latham moved to amend section 1 :

Strike out "citizens," in line 5, and insert "justices."

Lost.

Mr. Wynne moved to amend section 1 :

Strike out after the word "promoted," in line 3, to the word "them," in line 4, and insert in lieu thereof, "a majority of the qualified voters of each county."

Lost.

Mr. Holt moved to amend section 1 :

Insert after the word "pleas," in line 6, the words, "who shall hold their office for two years."

Adopted.

Mr. Askew moved to amend, by adding the following as a new section to come in between sections 11 and 12:

Section 12. That it shall be the duty of the clerks of said inferior courts to issue all notices, summons, executions and other processes that may be required by said court; and it shall be the duties of the sheriffs, deputy sheriffs or coroners, as the case may be, to execute the same and make due returns thereon, as now required in the Superior Courts, and be entitled to like fees as in Superior Courts.

Adopted.

Mr. Sandifer moved to amend section 1:

Add after the word "elected," the words "when qualified."

Adopted.

Mr. Mebane of Rockingham, moved to amend section 2:

Add at the end of the section the following words: "And in case such courts be abolished in any county, the records thereof shall be filed in the office of the clerk of the Superior Court, and all cases then pending shall be transferred to the docket of the Superior Court."

Adopted.

Mr. Scales called the yeas and noes on the passage of the bill its third reading, which were ordered.

Mr. Dunn moved to amend the bill by adding a new section, as follows:

Section ——. That the question of the courts herein provided for, shall be submitted to the qualified voters of each county at the next regular election, under the same rules and regulations as are now prescribed by law. Those counties voting in favor of such courts may take advantage of the



same ; those counties voting against such courts shall not be compelled to establish such courts.

Lost.

The bill then passed its third reading—yeas 25, noes 10, as follows :

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Heilig, Johnston, Latham, Liles, Mebane of Rockingham, Nicholson, Roberts, Sandifer, Standford, Stickney, Short, Waddell, Williams, York—25.

*Negative*—Messrs. Albright, Bryant, Dunn, Graham, Holt, Robins, Scales, Stewart, Thorne, Troy—10.

Mr. Mebane of Rockingham, moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion upon the table.

The latter motion prevailed.

Message from the House of Representatives, announcing the concurrence by that body in Senate amendments to various bills, and that the same had been ordered enrolled for ratification.

Also transmitting

H. B. 458, S. B. 594, bill to remove obstructions, and to provide for the passage and propagation of fish in the Catawba and Yadkin rivers. Referred to the Committee on Propositions and Grievances.

Also without engrossment,

H. R. 144, S. R. 595, resolution relating to the Colored Insane Asylum.

On motion of Mr. Boddie, the resolution was taken up and was adopted.

Mr. Holt moved to reconsider the vote by which H. B. 343, S. B. 435, bill to extend the time of taking out grants from the State, failed to pass its third reading on yesterday, and that the consideration of the motion to reconsider be postponed, which prevailed.

On motion of Mr. Cunningham, S. B. 423, bill to amend the law of divorce, in sections 4 and 5, chapter 37, Battle's Revisal, which was made the special order for to-day at 1 o'clock, was postponed until to-night at 10 o'clock.

House amendments to

S. B. 67, H. B. 407, bill for the speedy completion of the Western North Carolina Railroad, and was taken up as the special order for to-day.

The amendments, on motion of Mr. Johnston, were considered *seriatem*.

Amendment 1, to section 1, was concurred in.

Amendment 2, to section 1, was concurred in.

Amendment 3, to section 1, was concurred in.

Amendment 4, to section 1, was passed over.

Amendment 1, to section 2, was passed over.

Amendment 2, to section 2, was concurred in.

Amendment 1, to section 3, was under consideration ;  
when,

Upon motion of Mr. Holt, the Senate adjourned.

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EVENING SESSION.

SENATE CHAMBER, Feb. 14th, 1877.

Senate met pursuant to adjournment.

Mr. Robinson, President *pro tem.*, in the chair.

The unfinished business of this morning was taken up, being House amendments to S. B. 67, H. B. 407, bill for the speedy completion of the Western North Carolina Railroad, &c

Question recurred upon concurring in House amendments to strike out section 3 of the bill.

On motion of Mr. Finger, the Senate refused to concur in this amendment.

House amendment to section 5 was concurred in.

House amendment to section 8 was, on motion of Mr. Graham, disagreed to.

House amendment in the nature of a new section, to be section 11, was, on motion of Mr. Finger, disagreed to.

House amendment, to amend by renumbering the sections, not concurred in.

Amendment number 4, to section 1, was not concurred in.

Amendment 1 to section 2 was, on motion of Mr. Stanford, concurred in, with the following amendment to the House amendment:

“And that the private stockholders shall have the appointment of three directors.”

A message was directed to be sent to the House of Representatives, informing that body of the action of the Senate on these several amendments.

S. B. 423, bill to amend the law of divorce, in sections 4 and 5, chapter 37, of Battle's Revisal, was taken up on its second reading, it being the special order for this evening.

Mr. Stewart moved to indefinitely postpone.

Mr. Thorne moved to lay on the table, which was lost.

Mr. Thorne called for the yeas and nays on the motion to indefinitely postpone, which were ordered, and the motion prevailed, yeas 29, nays 6, as follows:

*Affirmative*—Messrs. Albright Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Rockingham, Nicholson, Robins, Robinson, Roberts, Scales, Stanford, Stickney, Stewart, Short, Waddell, York—29.



*Negative*—Messrs. Askew, Dunn, Mebane of Bertie, Sandifer, Thorne, Troy—6.

On motion of Mr. Liles, the Senate adjourned.

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## SIXTY-FIRST DAY.

SENATE CHAMBER, Feb. 15th, 1877.

Senate met pursuant to adjournment.

Mr. Robinson, President *pro tempore*, in the chair.

Prayer by Dr. Burkhead, of the city.

The journal of yesterday was read.

Mr. Wynne stated that he was necessarily absent on yesterday when S. B. 458, bill to establish inferior courts in the several counties of the State, passed its several readings, and had he been present he would have voted in the negative.

### PETITIONS AND MEMORIALS.

By Mr. Standford: Petition from citizens of Pender county. Referred to Committee on Corporations.

By Mr. Scales: Petition from citizens of Greensboro. Referred to Committee on Finance.

Reports from standing committees were submitted, as follows:

From Committee on Engrossed Bills,

By Mr. York, as properly engrossed: S. B. 97, bill to regulate the practice of dentistry in North Carolina.

S. B. 458, bill to provide for an inferior court in the several counties of the State.

From Committee on Judiciary,

By Mr. Bingham: S. B. 534, bill to authorize Joseph A. Haywood to make title to lands sold by him for taxes, reporting an amendment, and as amended recommending it do pass.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows:

By Mr. Mebane of Rockingham: S. B. 597, bill to establish a new township in the county of Rockingham, to be styled Madison Township. Referred to Committee on Corporations.

S. B. 598, bill to establish an additional township in Rockingham county, out of portions of Huntsville and Simpsonville townships, to be styled New Bethel. Referred to the Committee on Corporations.

By Mr. Bingham: S. B. 599, bill to legalize Blowing Rock Township, in the county of Watauga. Referred to the Committee on Judiciary.

By Mr. Troy: S. B. 600, bill to incorporate Oak Hill Academy, in Pender county. Referred to the Committee on Corporations.

By Mr. Sandifer: S. B. 601, bill to incorporate the King's Mountain Mining Company. Referred to the Committee on Corporations.

By Mr. Ferguson: S. B. 602, bill to authorize the commissioners of Haywood county to appoint a surveyor for certain purposes. Referred to committee on corporations.

By Mr. Dortch: S. B. 603, bill concerning Greene county. Referred to Committee on Judiciary.

Message from the House of Representatives:

H. B. 460, S. B. 604, bill to incorporate LaGrange Lodge, No. 70, I. O. O. F., in Lenoir county, referred to the Committee on Corporations.

H. B. 422, S. B. 605, bill to incorporate Trent Lodge, No. 2, Independent Order of Mechanics, of the city of Newbern,

county of Craven, referred to the Committee on Corporations.

H. B. 556, S. B. 606, bill to authorize the commissioners of Dare county to have transcribed deeds and other papers on record in the counties of Hyde, Tyrrell, &c.; referred to the Committee on Judiciary.

A communication and report was received from Hon. John M. Worth, State Treasurer, in response to a resolution of the Senate, concerning the indebtedness of certain counties in the State for weights and measures.

On motion of Mr. Graham, the communication and report was ordered to be printed.

By consent, Mr. Short introduced S. B. 607, bill to organize a government for the city of Wilmington, referred to the Committee on Corporations.

On motion of Mr. Troy, S. B. 482, bill to amend the charter of the town of Fayetteville, and to extend the corporate limits thereof, was taken up, and on his further motion it was referred to the Committee on Corporations.

On motion of Mr. Standford, S. B. 495, bill for the support of the Insane Asylum, was taken up, and on his further motion it was postponed<sup>1</sup> until Saturday next, 17th, at 11 o'clock, and made the special order for that hour.

By consent, Mr. Moore of Mecklenburg, introduced S. B. 608, bill to incorporate the Charlotte Compress Company, referred to the Committee on Corporations.

On motion of Mr. Caho, the rules were suspended and S. B. 563, bill to create a new township in the county of Pamlico, was taken up and passed its second and third readings.

The following named bills and resolutions were acted upon, as follows:

S. R. 245, resolution in favor of the Petersburg Railroad Company, on its second reading and passed.

The bill was put upon its third reading.

Mr. Dortch demanded the yeas and nays, which were or-



dered, and the bill passed, yeas 26, nays 10, as follows:

*Affirmative*—Messrs. Bennett, Bingham, Boddie, Bryant, Crawford, Dunn, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Robins, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Williams, Young—26.

*Negative*—Messrs. Albright, Askew, Caho, Cunningham, Dortch, Latham, Liles, Roberts, Sandifer, York—10.

At 11 o'clock, S. B. 407, bill to amend section 2, of article 6, of the Constitution of North Carolina, was taken up on its second reading, it being the special order for that hour.

Mr. Hughes moved to indefinitely postpone; upon which the yeas and noes were ordered, and the motion was lost—yeas 9, noes 30, as follows:

*Affirmative*—Messrs. Bryant, Cunningham, Dunn, Graham, Hughes, Robins, Stickney, Thorne, Wynne—9.

*Negative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Dortch, Ferguson, Finger, Folk, Heilig, Johnston, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Troy, Waddell, Williams, York, Young—30.

Mr. Stewart moved to lay the bill on the table.

Mr. Cunningham demanded the previous question upon the passage of the bill, which was not sustained.

Mr. Cunningham called for the yeas and nays upon the motion to table, and the Senate refused to table, yeas 19, nays 20, as follows:

*Affirmative*—Messrs. Albright, Bennett, Bingham, Bryant, Cunningham, Dunn, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Robins, Robinson, Stickney, Stewart, Thorne, Wynne, York—19.

*Negative*—Messrs. Askew, Boddie, Caho, Crawford, Dortch, Heilig, Latham, Liles, Mebane of Bertie, Moore of Meck-

lenburg, Nicholson, Roberts, Sandifer, Scales, Standford, Short, Troy, Waddell, Williams, Young—20.

On motion of Mr. Crawford, the bill was postponed until Wednesday next, 21st, at 12 o'clock, and made the special order for that hour.

By consent, Mr. Williams introduced S. B. 609, bill to amend section 18, chapter 117, Battle's Revisal. Referred to the Committee on Judiciary.

Mr. Folk moved to adjourn.

Lost.

S. B. 421, bill to appoint a county superintendent of education, on second reading.

On motion of Mr. Sandifer, it was indefinitely postponed.

H. B. 398, S. B. 490, bill to amend section 1st, chapter 68, Laws of 1874-'75, on second reading and passed; was put upon its third reading and passed.

H. B. 158, S. B. 512, bill to repeal section 4, chapter 136, of Laws of 1874-'75, giving the county of Pender a member of the General Assembly, on second reading, and passed.

The bill was then put upon its third reading, when

Upon motion of Mr. Troy, it was postponed until Tuesday next, and made the special order for that day, at 11 o'clock.

S. B. 519, bill to amend section 4, chapter 81, Laws of 1868-'69, was taken up and passed its second and third readings.

H. B. 340, S. B. 513, bill to amend chapter 161, Private Laws of 1874-'75, was taken up and passed its second and third readings.

By consent, Mr. Liles introduced S. B. 610, bill to amend chapter 235, Laws of 1869-'70, referred to the Committee on Judiciary.

S. B. 521, bill to amend the charter of the town of Lexington, in the county of Davidson, on its second reading.

Amendment reported by the Committee on Corporations was adopted.



Mr. Roberts offered to amend:

Strike out in section 9, lines 3 and 4, the words "not exceeding two hundred dollars," and insert in lieu thereof the words "not less than two hundred dollars nor more than four hundred dollars,"

which was adopted.

Bill then passed its second reading, yeas 31, nays 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Heilig, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, York—31.

*Negative*—Messrs. Bryant, Graham—2.

H. B. 345, S. B. 529, bill to incorporate the town of Gatesville, in the county of Gates, on second reading.

Amendments reported by the committee on corporations were adopted.

Bill then passed its second reading—yeas 31, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Heilig, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, York—31.

*Negative*—0.

On motion of Mr. Graham, certain communications recently sent to the Senate from the trustees of the University, relative to the Land Script fund, were referred to the committee on judiciary.

On motion of Mr. Short, the Senate adjourned.



## SIXTY-SECOND DAY.

SENATE CHAMBER, Feb. 16th, 1877.

The Senate met pursuant to adjournment.

Mr. Robinson, President *pro tempore*, in the chair.

Prayer by the Rev. Mr. Norman, of the city.

The Journal of yesterday was read.

Leave of absence was granted to Mr. Heilig, until Wednesday next, after to-day.

## PETITIONS.

By Mr. Bennett: Petition from the citizens of Brunswick county, referred to the Committee on Propositions and Grievances.

By Mr. Finger: Petition from merchants of Hickory, Catawba county, referred to the Committee on Finance.

Reports from Standing Committees were submitted, as follows :

From Committee on Engrossed Bills,

By Mr. York, as properly engrossed: S. B. 563, bill to create a new township in the county of Pamlico.

S. B. 519, bill to amend section 4, chapter 81, Laws of 1868-'69.

S. R. 245, resolution in favor of Petersburg Railroad Company.

From Committee on Penal Institutions,

By Mr. Heilig: S. R. 557, resolution in regard to convicts of the State, recommending it do not pass.

From Committee on Propositions and Grievances,

By Mr. Albright: H. B. 459, S. B. 581, bill to submit to the qualified voters of Shelby, Cleveland county, the ques-

tion of prohibition or no prohibition, recommending that it do pass.

By Mr. Dortch: H. B. 458, S. B. 594, bill to remove obstructions from and provide for the passage and propagation of fish in the Catawba and Yadkin Rivers, recommending amendments, and as amended, that it do pass.

From Committee on Penal Institutions,

By Mr. Ferguson: S. B. 575, bill to amend chapter 85, Battle's Revisal, asking to be discharged from further consideration.

By Mr. Troy: S. B. 311, bill in relation to the several penal and charitable institutions of the State, recommending an amendment, and as amended, that it do pass.

From Committee on Corporations,

By Mr. Nicholson: S. B. 570, bill to incorporate Payne's Benevolent Society, in the county of Rutherford. There being no evidence of the required notice, the Committee recommend that the bill do not pass until such notice is given.

By Mr. Sandifer: S. B. 573, bill to authorize Rutherford county and other municipal corporations to subscribe to railroad stock, recommending amendments and as amended, that the bill do pass.

By Mr. Scales: H. B. 316, S. B. 440, bill to incorporate New Hope Baptist Church, Cleveland county, recommending a substitute, and that the substitute do pass.

From the Committee on Judiciary,

By Mr. Scales: S. B. 578, bill to amend the charter of the town of Reidsville, in the county of Rockingham, recommending it do pass.

From the Committee on Claims,

By Mr. Stewart: S. R. 558, resolution in favor of L. Rosenthal, without recommendation.

Message from the House of Representatives:

H. R. 147, S. R. 611, resolution in favor of James B. Mc-

Pherson, tax collector of Pender county, referred to Committee on Finance.

Engrossed House amendments to S. B. 408, H. B. 434, bill to establish county government, referred to Committee on Judiciary.

By consent, Mr. Liles, from Special Committee appointed to investigate security given by Richmond and Danville Railroad Company for lease of North Carolina Railroad, submitted a report.

On motion of Mr. Crawford, it was transmitted to the House, with proposition to print.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows :

By Mr. Troy : S. B. 612, bill to regulate the sale of weights and measures, and for the collection of amounts now due, referred to the Judiciary Committee.

By Mr. Scales : S. B. 613, bill to amend section 361 of the Code of Civil Procedure, referred to the Committee on Judiciary.

By Mr. Bennett : S. B. 614, bill to prohibit the sale of liquor within two miles of Concord Church, Brunswick county, referred to the Committee on Propositions and Grievances.

By Mr. Latham : S. R. 615, resolution to provide additional aid for the Enrolling Clerk.

On motion of Mr. Latham, the rules were suspended, and the resolution read second time and passed.

Mr. Dortch moved to amend :

“ Make the pay \$4.”

Adopted.

Mr. Finger moved to insert :

“ Engrossing Clerk of the Senate.”

Adopted.



Mr. Short called for the yeas and noes, which were ordered, and the resolution passed its third reading—yeas 31, noes 7, as follows :

*Affirmative*—Messrs. Askew, Bennett, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Young—31.

*Negative*—Messrs. Albright, Bingham, Boddie, Robins, Troy, Wynne, York—7.

Mr. Graham moved that all bills on liquor calendar be taken up to-night at 8 o'clock.

Adopted.

#### INTRODUCTION OF BILLS.

By Mr. Crawford : S. B. 616, bill to incorporate the town of Enochville, Rowan county. Referred to Committee on Corporations.

By Mr. Short : S. R. 617, resolution in regard to taxes improperly collected from Seaboard and Roanoke Railroad. Referred to Committee on Judiciary.

By Mr. Moore of Mecklenburg : S. B. 618, bill for the relief of the tax-collector of the city of Charlotte. Referred to Committee on Judiciary.

By Mr. Williams : S. B. 619, bill to amend the charter of the town of Scotland Neck, Halifax county. Referred to Committee on Corporations.

#### SPECIAL ORDER AT 11 O'CLOCK,

S. B. 441, bill for the relief of the North Carolina Agricultural Association, was postponed till Wednesday next, 21st instant, at 12 M.

On motion of Mr. Stickney, S. B. 82, bill for the reclama-

tion of certain swamp lands, was taken up on third reading.

Mr. Stickney moved to amend :

“That when any swamp, bay or pocosin shall have been drained as provided for in this Act, the expenses incurred for surveying and dividing the same into equal divisions shall be borne jointly by the State and the New River Canal Company.”

Mr. Scales moved to amend :

Strike out “jointly,” and the words “State and.”

Adopted.

Mr. Troy offered to amend :

“The said corporation or company shall commence work in one year, and the canal and draining shall be completed in three years ; otherwise this Act shall be void.”

Adopted.

Mr. Stewart offered to strike out “three years” and insert “five years.” Lost.

Mr. Stewart moved to amend :

Strike out “three years” and insert “four years.”

Mr. Troy asked for a division of the question, and the Senate refused to strike out.

Mr. York moved to amend :

“*Provided*, The State shall have equal privileges with the Company on the waters of said canal, and shall have equal voice in regulating prices for carrying freights.”

Adopted.

On motion of Mr. York, the bill was indefinitely postponed—yeas 20, noes 16, as follows :

*Affirmative*—Messrs. Albright, Coke, Crawford, Dortch, Folk, Holt, Hughes, Johnston, Latham, Liles, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Thorne, Waddell, York, Young—20.

*Negative*—Messrs. Askew, Bingham, Caho, Cunningham, Dunn, Finger, Graham, Mebane of Bertie, Mebane of Rockingham, Standford, Stickney, Stewart, Short, Troy, Williams, Wynne—16.

The following named bills and resolutions were acted upon as follows :

H. B. 345, S. B. 529, bill to incorporate the town of Gatesville, in Gates county, on third reading and passed, yeas 36, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Holt, Hughes, Justice, Liles, Mebane of Bertie, Mebane of Rockingham, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, York—36.

*Negative*—0.

S. B. 521, bill to amend the charter of the town of Lexington, in the county of Davidson, on 3d reading and passed, yeas 33, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Holt, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, York—33.

*Negative*—0.

S. B. 33, bill for the relief of Pinkney Rollins & Co., on second reading.

On motion of Mr. Johnston, it was laid on the table.



S. R. 315, resolution in favor of W. F. Wasson, former sheriff of the county of Iredell, on second reading.

The substitute reported by the Committee was adopted.

Bill then passed its second reading; was read third time and passed.

H. B. 220, S. B. 545, bill to empower the Board of Commissioners of Bladen county to appoint a tax-collector, on second reading and passed.

Bill was read third time and passed.

S. B. 395, bill to restrict the powers of taxation by cities and towns, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 250, bill to establish an industrial and educational college for colored youths of both sexes, was, on motion of Mr. Thorne, made the special order for Tuesday next, at 11½ o'clock.

H. B. 322, S. B. 355, bill to lay off a public road in the counties of Davidson and Davie, on second reading.

The amendments proposed by the Committee were adopted.

Bill then passed its second reading, and was read the third time and passed.

S. B. 368, bill to regulate proceedings against owners of mill dams, for injuries done by them, on second reading.

Mr. Graham moved to amend:

Strike out "all actions heretofore begun shall conform in their future progress, as near as may be, to the provisions of this Act," and insert "that" for next word.

Adopted.

The bill then passed its second reading.

Bill was read third time.

Mr. Askew moved to amend:

*"Provided, Nothing herein contained shall apply to any*

mill or mill owners who have had in use or operation any public mill, seven years preceding the passage of this Act."

Adopted.

Bill then passed its third reading.

S. B. 320, bill to authorize the Dan River Navigation Company to employ convicts, on second reading and passed.

Bill read third time.

Mr. Troy moved to amend:

Add after "fed," in section 2, "guarded, medical aid, and shall pay the officer in charge."

Accepted.

Bill passed its third reading.

Mr. Mebane of Rockingham, moved to reconsider the vote by which the bill passed its third reading, and further moved to lay that motion on the table.

The latter motion prevailed.

S. B. 140, bill to incorporate the trustees of Oxford Colored Association, of Granville county, on second reading.

The amendments of the committee were adopted.

Bill then passed its second reading, and was read third time and passed.

H. B. 353, S. B. 463, bill to authorize the commissioners of Washington county to levy a special tax, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. R. 452, resolution authorizing the Governor to offer a reward for the arrest of Tilman Crawford, on second reading.

Mr. Bingham moved to amend:

Strike out "one thousand, (1,000,)" and insert "five thousand, (5,000)."

Adopted.

Resolution passed second reading.

Read third time.

Mr. Sandifer moved to amend, so as to read :

“If taken alive, to be delivered to the proper authorities within the jail door of the county of Randolph.”

Accepted.

Resolution passed its third reading.

H. R. 108, S. R. 454, resolution to inquire into the disposition of the funds derived from the stock of the State in the North Carolina Railroad, on second reading and passed.

Resolution read third time and passed.

S. B. 456, bill to re-enact section 9, chapter 111, Battle's Revisal, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 460, bill to give widows further time to dissent from their husbands' wills, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 462, bill to annex Eagle's and Smith's Islands to the county of New Hanover, on second reading.

On motion of Mr. York, it was indefinitely postponed.

S. B. 469, bill to authorize the commissioners of Wayne county to appoint a Finance Committee, on second reading and passed.

Bill was read third time and passed.

On motion of Mr. Liles, the Senate adjourned.

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#### EVENING SESSION.

SENATE CHAMBER, Feb. 16th, 1877.

Senate met pursuant to adjournment.

Mr. Robinson, President *pro tem.*, in the chair.



H. B. 249, S. B. 335, bill to authorize the several county authorities of this State to farm out convicts, being the special order, was taken up on its second reading.

Mr. Hughes moved to indefinitely postpone.

Lost.

On motion of Mr. Troy, the bill was referred to the Committee on Judiciary.

By permission, Mr. Liles introduced S. B. 620, bill to enlarge the powers of the corporate authorities of the town of Monroe, in the county of Union, referred to the Committee on Corporations.

S. B. 261, S. B. 341, H. B. 266, S. B. 434, S. B. 480, S. B. 549, S. B. 550, prohibitory bills upon the special calendar, and being special order for to-night, was taken up.

Mr. Troy moved to recommit to the Committee on Propositions and Grievances.

Adopted.

Mr. Crawford moved to reconsider the vote by which the bills were recommitted.

Adopted; and the motion to reconsider was lost.

On motion of Mr. Troy, they were postponed until Wednesday night next.

Mr. Ferguson was excused for to-night, on account of sickness.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State:

H. B. 315, S. B. 447, an Act to authorize the county commissioners of Graham county to levy a special tax.

H. B. 339, S. B. 438, an Act to levy a special tax in the county of Tyrrell.

H. B. 251, S. B. 385, an Act to levy a special tax for the county of Beaufort.

H. R. 95, S. R. 398, resolution authorizing the sale of the State Arsenal at Fayetteville.

H. R. 311, S. R. 448, resolution in relation to the letter books of the Executive of North Carolina.

H. B. 281, S. B. 443, an Act to provide a fund for the payment of jurors of Alleghany and Clay counties.

S. B. 291, H. B. 476, an Act for the benefit of the farmers in Murphy Swamp and Carver's Neck, Rockfish township, in Cumberland county.

H. B. 166, S. B. 275, an Act to make the carrying of concealed weapons a misdemeanor.

H. B. 328, S. B. 446, an Act to authorize the county commissioners of the county of Swain to levy a tax to build a bridge across the Tuckaseegee River.

The following named Bills and Resolutions were acted upon as follows:

S. B. 302, bill for the encouragement of watering places, on second reading.

Mr. Mebane of Rockingham, moved to amend:

1. Strike out all between the words "proprietor," in first line, and the word "shall," in fifth line, and insert the words "of the White Sulphur Springs, near Mt. Airy, in Surry county, or their lessees."

2. Add to said first section the words "for the time such license shall be taken out."

Adopted.

Bill then passed its second reading.

Bill read third time and passed.

S. B. 471, bill to amend section 138, chapter 32, Battle's Revisal, on second reading and passed.

Bill was read third time and passed.

S. B. 473, bill to create a township in the county of Wayne, to be known as Stoney Creek township, on second reading and passed.

Bill was then read third time and passed.

S. R. 474, resolution declaratory of the equality before

the law of the white and colored races, on second reading.

Mr. Dortch moved to refer to the Judiciary Committee.

Mr. Troy moved to amend the motion by ordering it be printed.

Mr. Latham moved to indefinitely postpone.

Mr. Stewart moved to table.

Lost.

The bill was indefinitely postponed.

Mr. Dortch, by consent, introduced S. B. 621, bill to provide for the erection of fish-ways in the several counties of the State, referred to the Special Committee on Agricultural Department.

S. B. 483, bill to regulate the attendance of sheriffs on the Clerks of the Superior Courts in their respective counties, on second reading and passed.

Bill was read third time.

Mr. Robins moved to amend:

“That this Act shall take effect and be in force from and after the first day of May, 1877.”

Adopted.

Bill then passed its third reading.

S. B. 429, bill to amend chapter 201, Laws of 1874-'75, on second reading and passed.

S. B. 470, bill to abolish the county of Pamlico.

On motion of Mr. Stewart, it was indefinitely postponed.

S. B. 386, bill to incorporate the Angola Canal and Road Company, on second reading.

On motion of Mr. Standford, it was made the special order for Saturday, the 24th inst., at 12 M.

S. R. 484, resolution of instruction to the Committee on Insane Asylum, was adopted.

H. R. 117, S. R. 486, resolution to raise a committee to take into consideration that portion of Gov. Vance's message,



in relation to the artificial propagation of fish, on second reading and adopted.

The President appointed as the Senate Branch of said committee, Messrs. Crawford, Moore of Mecklenburg, and Coke.

S. B. 578, bill to amend the charter of the town of Reidsville, Rockingham county, on second reading.

On motion of Mr. Mebane of Rockingham, it was recommitted to the Judiciary Committee.

H. B. 397, S. B. 487, bill to amend section 3, chapter 254, Laws of 1870-'71, on second reading and passed.

Bill was read third time and passed.

H. B. 380, S. B. 488, bill to amend chapter 52, section 22, of Battle's Revisal, on second reading.

Mr. Sandifer moved to amend, by adding another section :

Section 3. That the word "Cleveland," in line 33, be stricken out, and the word "Gaston" be substituted therefor.

Adopted.

Bill passed its second reading.

Bill was then read third time and passed.

H. B. 329, S. B. 464, bill to incorporate the United Order of Brothers and Sisters of Love and Charity, on second reading, and failed to pass.

Mr. Mebane of Bertie, moved to reconsider the vote by which the bill failed to pass, which motion prevailed.

Bill then passed second reading.

Read third time and passed.

Mr. Moore of Mecklenburg, moved to adjourn. Lost.

S. B. 477, bill to incorporate the Black River Navigation Company, on second reading and passed.

Bill was read third time and passed.

S. B. 497, bill to amend the charter of the town of Nashville, Nash county, on second reading and passed—yeas 34, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham,

Boddie, Caho, Crawford, Cunningham, Dortch, Dunn, Folk, Graham, Hughes, Johnston, Latham, Liles, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Wilson, Wynne, York—34.

On motion of Mr. Crawford, the Senate adjourned.

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### SIXTY-THIRD DAY.

SENATE CHAMBER, Feb. 17th, 1877.

Senate met pursuant to adjournment.

Mr. Robinson, President *pro tempore*, in the chair.

The journal of yesterday was approved.

#### PETITIONS AND MEMORIALS.

By Mr. Stickney: Petition from citizens of Northampton county. Referred to the Committee on Propositions and Grievances.

By Mr. Dortch: Petition from citizens of Littleton, praying the General Assembly not to repeal the prohibitory liquor law now in force at that point. Referred to the Committee on Propositions and Grievances.

By Mr. Nicholson: Petition from certain citizens of Iredell county. Referred to the Committee on Propositions and Grievances.

By Mr. Latham: Petition from citizens of Tarboro, relative to merchants' tax. Referred to the Committee on Finance.

By Mr. Mebane of Rockingham: Petition concerning drummers' tax. Referred to the Committee on Finance.

Reports from standing committees were submitted, as follows:

From the Committee on Insane Asylum,

By Mr. Standford: S. B. 459, bill to establish and construct the Western Insane Asylum, reporting certain amendments, and as amended recommending the bill do pass.

From the Committee on Corporations,

By Mr. Thorne: S. B. 597, bill to establish a new township in the county of Rockingham, to be styled Madison Township, recommending it do pass.

By Mr. Scales: H. B. 422, S. B. 605, bill to incorporate Trent Lodge No. 2, Independent Order of Mechanics, of the city of Newbern, county of Craven, reporting an amendment, and as amended recommending the bill do pass.

By Mr. Albright: S. B. 607, bill to organize a government for the city of Wilmington, recommending it do pass.

By Mr. Sandifer: S. B. 566, bill to incorporate the Yanceyville and Milton Narrow Gauge Railroad Company, reporting certain amendments, and as amended, recommending it do pass.

By Mr. Nicholson: H. B. 460, S. B. 604, bill to incorporate LaGrange Lodge, No. 70, I. O. O. F., Lenoir county, reporting an amendment, and as amended, recommending the bill do pass.

By Mr. Moore of New Hanover: S. B. 598, bill to establish a new township in Rockingham county, out of portions of Huntsville and Simpsonville townships, to be called New Bethel, recommending it do pass.

From the Committee on Agriculture, Mechanics and Mining,

By Mr. Stickney: S. R. 218 and S. R. 333, resolutions relative to sheep husbandry, without recommendation, as



the matter would be embraced by a bill which he would introduce.

From the Committee on Judiciary,

By Mr. Coke: S. B. 589, bill to define and fix the terms of office of certain officers, reporting certain amendments, and as amended, recommending it do pass.

By Mr. Robins: S. B. 551, bill directing the county commissioners to prepare and publish yearly statements of the finances of their respective counties, recommending that it it do not pass.

By Mr. Folk: Engrossed House amendments to S. B. 408, H. B. 434, bill to establish county governments, recommending the Senate concur in the 2d, 4th, 5th, 6th, 7th, 8th and 9th House amendments; that they disagree to the 1st and 10th House amendments, and concur in the third House amendment, with the following amendment thereto: Strike out "Governor" and insert "Secretary of State," and strike out "recommended" and insert "elected."

And on motion of Mr. Folk, the bill was made special order for to-day at 12 M.

H. B. 488, S. B. 561, bill to repeal and amend certain sections in chapter 6, Battle's Revisal, reporting an amendment, and as amended, recommending it do pass.

By Mr. Scales: S. B. 613, bill to amend section 361 of the Code of Civil procedure, recommending it do pass.

From Committee on Finance,

By Mr. Graham: H. R. 147, S. R. 611, resolution in favor of James B. McPherson, tax collector of Pender county, recommending it do pass.

By Mr. Robins: S. B. 532, bill to make slander and seduction misdemeanors, recommending it do not pass.

From the Committee on Internal Improvements,

By Mr. Johnston: S. B. 449, bill to more effectually prevent discrimination in freight tariffs by railroad companies operating in this State, a majority of the committee recommending it do not pass.

## LEAVE OF ABSENCE

was granted to Mr. Bryant, until Wednesday next ;

Mr. Ferguson was announced as detained from his seat to-day, on account of sickness ;

Leave of absence was granted indefinitely to Mr. Scales, from and after to-day.

From Committee on Engrossed Bills,

By Mr. York, as correctly engrossed : Senate amendments to H. B. 345, S. B. 529, a bill to incorporate the town of Gatesville, Gates county.

S. B. 355, a bill to amend an Act to lay off a public road in the counties of Davidson and Davie.

S. R. 452, resolution authorizing the Governor to offer a reward for the arrest of Tilmond Crawford.

S. B. 473, a bill to create a township in the county of Wayne, to be known as Stony Creek Township.

S. R. 615, resolution to provide additional aid for the Engrossing Clerk of the Senate and the Enrolling Clerk.

S. B. 469, a bill to authorize the commissioners of Wayne county to appoint a Finance Committee.

S. B. 140, a bill to incorporate the trustees of Oxford Colored Educational Association of Granville county, N. C.

S. B. 483, a bill to regulate the attendance of sheriffs on the office of the Superior Court Clerks in their respective counties.

S. B. 477, a bill to incorporate the Black River Navigation Company.

Senate amendments to

H. B. 380, S. B. 488, a bill to amend chapter 52, section 22, Battle's Revisal.

S. B. 368, a bill to regulate proceedings against owners of mill dams, for injuries done by them.

S. B. 320, a bill to authorize the Dan River Navigation Company to employ convicts.

S. B. 471, a bill to amend section 138, chapter 32, Battle's

Revisal, so as to increase the punishment for speculating in county or State claims.

S. R. 315, resolution in favor of W. F. Wasson, former sheriff of Iredell county.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows :

By Mr. Standford : S. B. 623, bill to establish a new county, to be called Vance, referred to the Committee on Corporations.

By Mr. Nicholson : S. B. 624, bill to prohibit the sale of spirituous liquors within one mile or less of Wesley Chapel Church, in the county of Iredell, referred to the Committee on Propositions and Grievances.

By Mr. Caho : S. B. 625, bill to amend chapter 83, Battle's Revisal, referred to the Committee on Propositions and Grievances.

S. B. 626, bill to legalize the acts of Goose Creek township, in the county of Pamlico, referred to the Committee on Judiciary.

By Mr. Liles : S. R. 627, resolution in favor of J. W. Poe, referred to Committee on Claims.

By Mr. Hughes : S. B. 628, bill to prohibit the sale of spirituous liquors within two miles of the Orphan Asylum, in Granville county, referred to the Committee on Propositions and Grievances.

By Mr. Short : S. B. 629, bill to amend section 41, chapter 104, Battle's Revisal, referred to the Committee on Propositions and Grievances.

By Mr. Scales : S. B. 632, bill to give proper publicity to legal notices required to be advertised, referred to Committee on Judiciary.

By Mr. Standford : S. R. 633, resolution for the relief of the New River Canal Company, referred to Committee on Propositions and Grievances.

By Mr. Troy : S. B. 634, bill in relation to the State Pen-



itentiary. Referred to the Committee on Penal Institutions.

By Mr. Wilson: S. B. 635, bill to repeal section 420, of the Code of Civil Procedure, and to substitute another in its stead. Referred to the Committee on the Judiciary.

By Mr. Stewart: S. B. 636, bill to repeal all acts providing for the reimbursement by the State of the counties for the support of their insane. Referred to the Committee on Propositions and Grievances.

Message from the House of Representatives:

House Bill 487, S. B. 630, bill to provide for the collection of taxes by the State, known as the Machinery Act. Referred to the Committee on Finance, and ordered to be printed.

H. B. 435, S. B. 631, bill to amend chapter 105, section 10, Battle's Revisal. Referred to Committee on Judiciary.

Without engrossment, H. R. 145, S. R. 639, resolution to compel the President of the Western North Carolina Railroad to make report of the condition of the claims against M. S. Littlefield and G. W. Swepson, and to require the Secretary of State to serve notice. Referred to the Committee on Internal Improvements.

The following named bills and resolutions were acted upon as follows:

On motion of Mr. Crawford, H. B. 488, S. B. 561, bill to repeal and amend certain sections in chapter 6, Battle's Revisal, was taken up on its second reading; and, on his further motion, it was postponed until Tuesday, 20th inst., at 12 M., and made the special order for that hour.

S. B. 497, bill to amend the charter of the town of Nashville, Nash county, on third reading and passed—yeas 38, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Graham, Holt, Hughes, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore

of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson, Wynne, York, Young—38.

*Negative*—0.

S. B. 568, bill to levy a special tax in the county of Cabarrus, and for other purposes, on second reading and passed, yeas 37, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Folk, Graham, Heilig, Holt, Hughes, Latham, Liles, Mebane of Rockingham, Mercer, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson, Wynne, York, Young—37.

*Negative*—0.

S. B. 573, bill to authorize Rutherford county, and other municipal corporations, to subscribe to railroad stock, on second reading.

Amendments reported by the Committee on Corporations were adopted.

Bill then passed its second reading, yeas 35, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Folk, Graham, Holt, Hughes, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson, Wynne, York, Young—35.

*Negative*—0.

At 11 o'clock, S. B. 495, bill for the support of the Insane Asylum, was taken up on its second reading, it being the special order for that hour.

Mr. York moved to amend:

Strike out \$60,000 " and insert "\$50,000."

Mr. Bingham moved to postpone the bill until Wednesday next, 21st, at 12 M.

Mr. Graham demanded the previous question, which was sustained.

The amendments reported by Committee on Insane Asylum were adopted.

Amendment offered by Mr. York was rejected.

Bill passed its second reading and was put upon its third reading.

Mr. Sandifer called for the yeas and nays, which were ordered, and the bill passed its third reading, yeas 32, nays 6, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Boddie, Coke, Crawford, Cunningham, Dunn, Finger, Folk, Graham, Hughes, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Young—32.

*Negative*—Messrs. Bingham, Caho, Dortch, Robins, Stickney, York—6.

S. B. 574, bill to authorize the county commissioners of Lenoir county to levy a special tax, and for other purposes, on second reading and passed—yeas 32, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Finger, Graham, Hughes, Johnston, Latham, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Standford, Stickney, Stewart, Thorne, Troy, Waddell, Williams, Wilson, Young—32.

*Negative*—0.

S. B. 607, bill to organize a government of the city of Wilmington, on second reading.

Mr. Moore of New Hanover, offered a substitute for the bill.



Mr. Dunn moved to refer the bill to the Committee on the Judiciary.

Mr. Albright demanded the previous question, which was sustained.

The substitute offered by Mr. Moore of New Hanover, was lost.

Bill passed its second reading, yeas 27, nays 7, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Finger, Graham, Johnston, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Standford, Stickney, Short, Troy, Williams, Wilson, York—27.

*Negative*—Messrs. Dortch, Dunn, Folk, Hughes, Mebane of Bertie, Moore of New Hanover, Thorne—7.

The bill was put upon its third reading.

On motion of Mr. Short, the bill was referred to the Committee on the Judiciary.

By consent, Mr. Finger introduced S. R. 637, resolution relative to the High Commission for counting the electoral vote.

On motion of Mr. Finger, the rules were suspended, and the resolution was put upon its passage.

Mr. Mebane of Rockingham, moved to strike out the third section. Accepted.

Mr. Coke moved to amend:

“That our Representatives and Senators be instructed to enforce these sentiments in strong and fitting language, in the Halls of Congress.”

Lost.

Mr. Dunn demanded the yeas and noes upon the passage of the resolution, which were ordered.

Mr. Cunningham moved to table.

Mr. Troy demanded the previous question, which was sustained.

Resolutiooon was then adopted—yeas 21, noes 13, as follows :

*Affirmative*—Messrs. Askew, Bennett, Caho, Coke, Finger, Folk, Johnston, Liles, Mebane of Rockingham, Mercer, Nicholson, Roberts, Sandifer, Standford, Stickney, Short, Troy, Waddell, Williams, York, Young—21.

*Negative*—Messrs. Bingham, Boddie, Dortch, Dunn, Graham, Hughes, Latham, Mebane of Bertie, Moore of New Hanover, Robins, Thorne, Wilson, Wynne—13.

At 12 M., H. B. amendments to S. B. 408, S. B. 434, bill to establish county governments, was taken up as special order for that hour.

On motion, the amendments were considered *seriatem*.

House amendment No. 1 was disagreed to.

House amendment No. 2 was concurred in.

House amendment No. 3 was concurred in, with the following amendment :

Strike out “Governor” and insert “Secretary of State,” and strike out “recommended” and insert “elected.”

House amendments numbers 4, 5, 6, 7, 8 and 9 were concurred in.

House amendment No. 10 was disagreed to.

Message was ordered sent to the House of Representatives informing them of the action of the Senate.

By consent, Mr. Robinson introduced S. R. 638, resolution of instruction to the Judiciary Committee of the Senate.

The resolution was adopted.

On motion of Mr. Folk, S. B. 459, bill to establish and construct the Western Insane Asylum, was taken up on its second reading ; and, on his further motion, it was postponed until Tuesday next, 20th inst., at 12 M., and made special order for that hour.

On motion of Mr. Standford, H. R. 147, S. R. 611, resolution in favor of James B. McPherson, tax-collector in Pender county, was taken up and passed its second and third readings.

Mr. Robinson moved to reconsider the vote by which the resolution passed its third reading, and moved to lay the motion to reconsider upon the table.

The latter motion prevailed.

On motion of Mr. Standford, the Senate adjourned.

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## SIXTY-FOURTH DAY.

SENATE CHAMBER, Feb. 19th, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

Prayer by Dr. Marshall, of the city.

The Journal of yesterday was read.

Leave of absence was granted Mr. Waddell to-day.

Reports from Standing Committees were submitted, as follows :

From Committee on Engrossed Bills,

By Mr. York, as correctly engrossed : S. B. 497, a bill to amend the charter of the town of Nashville, Nash county.

S. B. 495, a bill for the support of the Insane Asylum.

S. B. 302, a bill for the encouragement of the watering place at the White Sulphur Springs, near Mt. Airy, Surry county.

S. B. 521, a bill to amend the charter of the town of Lexington, in the county of Davidson.

From the Committee on the State Debt,



By Mr. Cunningham: S. B. 48, a bill to amend and continue in force an Act to compromise, commute and settle the State debt, chapter 175, Acts of 1874-'75, ratified the 17th day of March, 1875, recommending it do not pass.

From the Committee on Penal Institutions,

By Mr. Troy: H. B. 284, S. B. 399, bill concerning the the purchase of stationery, reporting an amendment, and as amended, recommending it do pass.

From the Committee on Judiciary.

By Mr. Mebane of Rockingham: S. B. 533, bill to make malicious prosecution a misdemeanor, reporting an amendment, and as amended, recommending it do pass.

The following bills and resolutions, reported as correctly enrolled, by Committee on Enrolled Bills, were duly ratified and transmitted to the Secretary of State:

H. B. 397, S. B. 487, an Act to amend an Act to lay out and construct a public road through the counties of Wilkes and Watauga.

H. B. 329, S. B. 464, an Act to incorporate the United Order of Brothers and Sisters of Love and Charity.

S. B. 67, H. B. 407, an Act to provide for the speedy completion of the Western North Carolina Railroad, and to amend an Act entitled an Act in relation to the Western North Carolina Railroad, ratified 13th March, 1875.

H. B. 398, S. B. 490, an Act to amend an Act entitled an Act to lay out and construct a public road from Boone, Watauga county, to the Caldwell and Watauga Turnpike.

H. B. 220, S. B. 545, an Act to authorize and empower the commissioners of Bladen county to appoint a tax collector to collect arrears of taxes.

H. B. 340, S. B. 513, an Act to amend section 4, chapter 161, Private Laws, 1874-'75.

H. R. 108, S. R. 454, resolution to inquire into the disposition of the funds derived from the stock of the State in the North Carolina Railroad.

S. B. 220, H. B. 449, an Act to amend the charter of the town of Salem, in Forsythe county.

The following named bills and resolutions were introduced and passed first reading, and were referred or otherwise disposed of, as follows:

By Mr. Stickney: S. B. 640, bill to provide for the election of constables, referred to the Committee on the Judiciary.

By Mr. Troy: S. R. 641, resolution in favor of W. H. Sykes, referred to the Committee on Finance.

By Mr. Mebane of Rockingham: S. B. 642, bill to incorporate the town of Stoneville, in the county of Rockingham, referred to the Committee on Corporations.

S. B. 643, bill to incorporate the Western Mining and Manufacturing Company, referred to the Committee on Corporations.

By Mr. Moore of Mecklenburg: S. B. 644, bill to allow Charlotte township, in the county of Mecklenburg, three constables, referred to Committee on Judiciary.

By Mr. Troy: S. B. 645, bill to restrict the commissioners of Pender county, in certain cases. Referred to the Committee on Propositions and Grievances.

By Mr. Moore of New Hanover: S. B. 646, bill allowing two constables for Wilmington Township. Referred to Committee on Judiciary.

The following named bills and resolutions were acted upon as follows:

S. B. 508, bill to establish a road from Mulberry Gap to the Virginia line, was, on motion of Mr. Bingham, taken up and passed its second and third readings.

S. B. 573, bill to authorize Rutherford county, and other municipal corporations, to subscribe to railroad stock, on third reading and passed—yeas 28, noes 0, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Coke, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rock-



ingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Stickney, Short, Thorne, Wilson, York Young—28.

*Negative*—0.

Mr. Coke moved to reconsider the vote by which the Senate refused to concur in first House amendment to S. B. 408, H. B. 434, bill to establish county governments.

Prevailed.

Question then recurred upon concurring in the House amendment.

Mr. Folk offered the following substitute therefor :

“ *Provided*, That a majority of the justices may abolish the office of Treasurer, and thereupon the duties and liabilities now attached to the office shall devolve on the sheriff;”

which was adopted.

Mr. Coke then moved to reconsider the vote by which the Senate refused to concur in the following House amendments:

Amend section 7, by adding after the word “place,” in line 5, the following: “Subject, however, to the power of the General Assembly to alter, amend, or abrogate the provisions of this Act, and to substitute others in their stead, as provided for in section 14, of article 7, of the Constitution.”

The motion prevailed.

Question recurred upon concurring in the amendment.

On motion of Mr. Coke, the amendment was concurred in.

S. B. 498, bill to incorporate the town of Huntersville, in the county of Mecklenburg, on second reading and passed—yeas 28, noes 0, as follows :

*Affirmative*—Messrs. Askew, Bingham, Coke, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer,



Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Stickney, Short, Thorne, Troy, Williams, York, Young—28.

*Negative*—0.

S. B. 574, bill to authorize the county commissioners of Lenoir county to levy a special tax, and for other purposes, on third reading and passed, yeas 27, nays 0, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Coke, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Roberts, Stickney, Short, Thorne, Troy, Williams, Wilson, York, Young—27.

*Negative*—0.

S. B. 568, bill to levy a special tax in the county of Cabarrus, and for other purposes, on third reading and passed, yeas 26, nays 0, as follows:

*Affirmative*—Messrs. Askew, Bingham, Boddie, Coke, Cunningham, Ferguson, Finger, Graham, Hughes, Johnston, Latham, Liles, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Roberts, Stickney, Short, Thorne, Troy, Williams, Wilson, Wynne, York, Young—26.

*Negative*—0.

On motion of Mr. Dortch, S. B. 319, bill to incorporate the Farmers' Savings Bank of Ridgeway, was taken up and referred to Committee on Corporations.

Message from the House of Representatives, transmitting, H. B. 558, S. B. 647, bill to establish a board of audit and finance for the city of Wilmington, referred to Committee on Finance.

H. B. 586, S. B. 648, bill to amend chapter 218, Acts 1870-'71, to incorporate Mt. Airy and Central Railroad Company, referred to Committee on Internal Improvements.

H. B. 412, S. B. 649, bill to prevent live stock from running at large within the county of Mecklenburg, referred to

Committee on Propositions and Grievances.

H. B. 489, S. B. 650, bill to provide for the working of convicts on the Western and Fayetteville Railroad, referred to Committee on Internal Improvements.

H. B. 383, S. B. 657, bill to incorporate the trustees of Hiawassee Camp Ground, in the county of Clay, referred to Committee on Corporations.

H. B. 544, S. B. 652, bill to authorize the commissioners of Alexander county to levy a special tax, referred to Committee on Finance.

H. B. 516, S. B. 653, bill to repeal chapter 52, Private Laws of 1874-'75, referred to Committee on Judiciary.

H. B. 523, S. B. 654, bill to authorize the extension of the cemeteries situated in the town of Washington, Beaufort county, referred to Committee on Propositions and Grievances.

H. B. 83, S. B. 655, bill for the appointment of special tax collectors in certain cases, referred to Committee on Finance.

H. B. 520, S. B. 556, bill to extend the time for the organization of the Atlantic Iron and Steel Company, and to change its name, referred to Committee on Corporations.

House amendments to S. B. 479, H. B. 529, bill to allow the Milton and Sutherlin Narrow Gauge Railroad to use forty convicts.

On motion of Mr. Graham, the Senate concurred in the first amendment.

On motion of Mr. Graham, the Senate refused to concur in the second amendment.

H. B. 222, S. B. 501, bill to authorize the commissioners of Green county to levy a special tax, on second reading and passed, yeas 30, nays 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Hughes, Latham, Mebane of Bertie, Mebane of Rockingham, Mercer, Nicholson, Robins, Robinson, Rob-

erts, Stickney, Short, Thorne, Troy, Williams, Wilson, Wynne, York, Young—30.

*Negative*—0.

S. B. 505, bill to amend the laws of 1874-'75, chapter 180, on second reading.

On motion of Mr. York, it was indefinitely postponed.

S. B. 506, bill to establish Castalia township, in Nash county, on second reading and passed.

Bill was read third time and passed.

Leave of absence was granted Mr. Troy for to-day, on account of important public business.

H. B. 344, S. B. 514, bill to amend chapter 195 of Laws of 1874-'75, on second reading and passed.

Bill was read third time and passed.

H. B. 367, S. B. 515, bill to amend section 5, chapter 44, Private Laws 1874-'75, on second reading and passed.

Bill was read third time and passed.

S. B. 517, bill to give Pamlico county representation in the House of Representatives, on second reading. Referred to Committee on Judiciary.

S. B. 518, bill to amend the charter of Kinston, in the county of Lenoir, on second reading.

On motion of Mr. Nicholson, it was indefinitely postponed.

S. R. 510, resolution in relation to vacancies in Board Trustees of University, on second reading.

Mr. Graham offered a substitute, which was adopted.

Resolution passed its second reading; was read third time and passed.

S. B. 520, bill to amend Battle's Revisal, chapter 104, sections 7 and 8, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 522, bill to institute the Regents of Education, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.



S. B. 523, bill to regulate the taking of fish in the waters of Neuse river, on second reading.

The amendments of the committee were adopted.

Bill passed its second reading; was read third time and passed.

H. R. 96, S. R. 526, resolution to pay the Governor of the State the proceeds arising from the rent of the Governor's Mansion, on second reading.

On motion of Mr. Roberts, it was referred to Committee on Public Buildings and Grounds.

H. B. 403, S. B. 528, bill concerning the subscription of Buncombe county to the Spartanburg and Asheville Rail Road, on second reading.

On motion, it was referred to the Judiciary Committee.

S. R. 524, resolution requiring fifty copies of the Geological Report to be furnished the Governor, for the purpose of interchange, on second reading and passed; was read third time and passed.

S. R. 531, resolution of instruction to the Committee on Finance.

On motion of Mr. Graham, it was laid on the table.

S. B. 534, bill to authorize Joseph A. Haywood to make title to lands sold by him for taxes, on second reading.

The amendments of the committee were adopted.

Mr. Wynne moved to amend, ratifying clause so as to make it take effect on first day of June, 1877. Adopted.

Bill then passed second reading.

Bill was read third time and passed.

H. R. 129, S. R. 539, resolution of instruction to our Senators and Representatives in Congress, concerning the Freedmens' Savings Bank, on second reading and was adopted.

H. B. 378, S. B. 542, bill to repeal chapter 27, Private Laws of 1874-'75, on second reading and passed.

Bill was read third time and passed.

H. B. 453, S. B. 543, bill to protect deer between the

15th of January and the 1st of September, in certain counties, on second reading.

Mr. York moved to strike out "Wilkes county," which prevailed.

Bill then passed its second reading, and was read third time and passed.

H. B. 415, S. B. 544, bill to legalize Ivey Hill Township, in the county of Haywood, on its second reading.

Amendment of the committee was adopted.

Bill then passed its second reading.

Bill was read third time and passed.

S. B. 546, bill to incorporate Hickory Lodge No. 343, A. F. A. M., in Catawba county, on second reading and passed.

Bill was read third time and passed.

S. B. 548, bill to authorize the commissioners of Alleghany county to levy a special tax, on second reading and passed—yeas 27, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Coke, Cunningham, Dortch, Ferguson, Finger, Graham, Hughes, Johnston, Latham, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Stickney, Short, Thorne, Williams, Wilson, York—27.

S. B. 553, bill to revise and consolidate the Public and general laws of the State, on second reading.

On motion of Mr. Nicholson, it was indefinitely postponed.

By consent, Mr. Graham reported from Committee on Finance, S. B. 567, bill to authorize the Board of County Commissioners of Caswell to subscribe to the capital stock of the Yanceyville and Milton Narrow-Gauge Railroad Company, recommending amendments, and as amended that the bill do pass.

Under suspension of the rules, the bill was put upon its second reading.

Amendments of the committee were adopted, and the bill passed its second reading—yeas 30, noes 0, as follows:



*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Graham, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Stickney, Short, Thorne, Wilson, York, Young—30.

*Negative*—0.

H. B. 436, S. B. 560, bill to authorize the clerk of the Supreme Court to administer oaths, on second reading.

Substitute reported by the committee was adopted, and the bill passed its second reading.

Bill was read third time and passed.

S. R. 576, resolution of instruction to Committee on State-Debt, on second reading.

On motion of Mr. Graham, it was indefinitely postponed.

S. R. 577, resolution creating a special committee to divide the State into nine judicial districts, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. —, bill in regard to sundry townships in the county of Randolph, on second reading and passed.

Bill was read third time and passed.

H. B. 459, S. B. 581, bill to submit to the qualified voters of the town of Shelby, Cleveland county, the question of prohibition or no prohibition, on second reading and passed.

Bill was read third time and passed.

S. B. 575, bill to amend chapter 85, Battle's Revisal, on second reading.

The amendments reported by the committee were adopted.

Bill then passed its second reading.

Bill was read third time and passed.

Message from the House of Representatives, transmitting

H. B. 518, S. B. 657, bill to create a new township in the county of Tyrrell. Referred to Committee on Propositions and Grievances.

S. B. 311, bill in relation to the several penal and charitable institutions of the State, on its second reading.



Amendments reported by the committee were adopted.

Mr. Johnston moved to insert "Asheville Citizen," after "Observer" and "News." Adopted.

Mr. Liles moved to amend:

Strike out names of papers and insert "once a week in two daily and weekly papers in Raleigh, for four consecutive weeks, and in such other papers as may be published near public works upon which convicts are or may be employed."

Adopted.

Bill passed its second reading.

Read third time and passed.

Mr. Johnson moved that when the Senate adjourn, it do so to meet to-morrow morning at 10 o'clock. Adopted.

On motion of Mr. Finger, the Senate adjourned.

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## SIXTY-FIFTH DAY.

SENATE CHAMBER, Feb. 20th, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

Prayer by Dr. Vaughan, of the city.

The Journal of yesterday was read.

## PETITIONS AND MEMORIALS.

By Mr. Troy: Four memorials of the citizens in the vicinity of Fayetteville, referred to the Committee on Corporations.

By Mr. Cunningham: Petitions of the residents of Yanceyville, referred to Committee on Corporations.

By Mr. Moore of New Hanover: Petitions from citizens of Pender county, referred to Committee on Judiciary.

By Mr. Dunn: Petitions of merchants of LaGrange, in regard to license tax, referred to Committee on Finance.

By Mr. Mebane of Bertie: Petitions from citizens of Gaston township, Northampton county, referred to Committee on Propositions and Grievances.

Reports from standing committees were submitted, as follows:

From the Committee on Corporations,

By Mr. Nicholson: H. B. 383, S. B. 651, bill to incorporate the trustees of Hiawassee Camp Ground, in the county of Clay, recommending it do pass.

By Mr. Sandifer: S. B. 601, bill to incorporate the King's Mountain Mining Company, recommending it do pass.

By Mr. Albright: S. B. 600, bill to incorporate Oak Hill Academy, in Pender county. Proper notice not having been given, the Committee recommended the postponement of the bill.

H. B. 520, S. B. 656, bill to extend the time for the organization of the Atlantic Iron and Steel Company, recommending it do pass.

By Mr. Thorne: S. B. 642, bill to incorporate the town of Stoneville, Rockingham county, recommending amendments, and as amended, that the bill do pass.

By Mr. Sandifer: S. B. 602, bill to authorize the commissioners of Haywood county to appoint a surveyor, recommending amendments, and as amended, that it do pass.

From the Committee on Judiciary,

By Mr. Mebane of Rockingham: S. B. 607, bill to organize a government of the city of Wilmington, recommending an amendment, and as amended, the bill do pass.

By Mr. Bingham: H. B. 435, S. B. 631, bill to amend

section 10, chapter 105, Battle's Revisal, recommending it do pass.

By Mr. Robins: S. R. 617, resolution in regard to taxes improperly collected from Seaboard and Roanoke Railroad Company, without recommendation, and asking to be discharged from further consideration of the same.

By Mr. Stewart: S. B. 606, H. B. 555, bill to authorize the commissioners of Dare county to have transcripts of deeds and other papers on record in the counties of Hyde, Tyrrell, &c., recommending it do pass.

By Mr. Wilson: S. B. 612, bill to regulate the sale of weights and measures, and for the collection of amounts now due, recommending it do pass.

By Mr. Ferguson: S. B. 635, bill to repeal section 420, of the Code of Civil Procedure, recommending it do pass.

By Mr. Graham: S. B. 618, bill to enable the constable of Charlotte to collect taxes, recommending it do pass.

S. R. 638, resolution of instruction to the Judiciary Committee, without recommendation.

S. B. 593, bill to drain wet lands, recommending it do pass.

From Committee on Education,

By Mr. Finger: H. B. 233, S. B. 516, bill to authorize towns and cities of 5,000 inhabitants and upwards, to levy taxes for the support of graded public schools, recommending amendments, and as amended, that the bill do pass.

From Special Committee, "Department of Agriculture,"

By Mr. Troy: S. B. 457, bill to provide for the annual collection and publication of statistics of the agricultural products of the State, recommending it do not pass.

S. B. 455, bill to protect more effectually the farmers of North Carolina from impositions in the purchase of fertilizers, recommending it do not pass.

S. B. 328, bill to establish a Bureau Department of Agriculture, recommending it do not pass.

From Committee on Engrossed Bills,



By Mr. York, as correctly engrossed : S. B. 534, a bill to authorize Joseph A. Haywood to make title to lands sold by him for taxes.

S. R. 543, H. B. 453, Senate amendments to —, a bill to protect deer in Stokes, Forsythe, Surry, &c.

S. R. 524, resolution requiring 50 copies of Geological Reports to be furnished the Governor for purposes of interchange.

S. B. 523, a bill to regulate the taking of fish in the waters of Neuse River.

S. B. 510, a bill in relation to vacancies in the Board of Trustees of the University of North Carolina.

S. B. 506, a bill to establish Castalia township, in Nash county.

S. B. 560, H. B. 436, Senate amendments to a bill to amend chapter 20, section 1, Battle's Revisal.

S. B. 586, a bill in regard to sundry townships in Randolph county.

S. B. 575, a bill to amend chapter 85, Battle's Revisal.

S. B. 568, a bill to levy a special tax in the county of Cabarrus, and for other purposes.

S. B. 574, a bill to authorize the county commissioners of Lenoir county to levy a special tax.

S. B. 508, a bill to establish a road from Mulberry Gap to the Virginia line.

S. B. 546, a bill to incorporate Hickory Lodge, No. 343, A. F. Masons, in Catawba county.

S. B. 408, S. B. 434, Senate amendments to —, a bill to establish county governments.

By Mr. Waddell: S. B. 30, a bill in relation to the several penal and charitable institutions of the State.

S. B. 573, an Act to authorize Rutherford county and other municipal corporations to subscribe to railroad stock.

The following named bills and resolutions were introduced and passed first reading, and were referred or otherwise disposed of, as follows:

By Mr. Cunningham: S. B. 658, bill to incorporate the town of Yanceyville, referred to Committee on Corporations.

By Mr. Stickney: S. B. 659, bill to amend chapter 66, of the Laws of 1871-'72, referred to Committee on Finance.

By Mr. Mebane of Rockingham: S. B. 660, bill to incorporate the trustees of Wentworth Male Academy, in Rockingham county, placed upon the Calendar.

S. B. 661, bill to incorporate the Chapel Hill and Iron Mountain Railroad Company, referred to Committee on Corporations.

By Mr. Dortch: S. B. 662, bill to legalize Holden township, in Wayne county, and to change the name thereof, placed on Calendar.

By Mr. Caho: S. B. 663, bill to incorporate Roanoke Lodge, No. 89, Independent Order of Odd Fellows, in Williamston, Martin county, referred to Committee on Corporations.

By Mr. Dunn: S. B. 664, bill to amend section 2, chapter 64, Battle's Revisal, referred to Committee on Judiciary.

S. B. 665, bill to amend Battle's Revisal, chapter 105, referred to Committee on Judiciary.

By Mr. Stewart: S. B. 666, bill to authorize the commissioners of Sampson county to levy a special tax, referred to Committee on Finance.

By Mr. Hughes: S. B. 667, bill for the relief of public road hands, referred to Committee on Propositions and Grievances.

By Mr. Troy: S. B. 668, bill to establish a department of agriculture, referred to Special Committee on Agriculture.

By Mr. Stewart: S. B. 669, bill to incorporate the North Carolina Students' Aid Association, referred to Committee on Corporations.

The following named bills and resolutions were acted upon as follows:

S. B. 567, bill to authorize the board of county commis-



sioners of Caswell county to subscribe to the capital stock of the Yanceyville and Milton Narrow Gauge Railroad Company, on third reading and passed, yeas 33, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Graham, Hughes, Johnston, Latham, Mabson, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Stickney, Stewart, Thorne, Waddell, Wilson, Wynne, York—33.

*Negative*—0

S. B. 548, bill to authorize the commissioners of Alleghany county to levy a special tax, on third reading and passed, yeas 33, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Latham, Mebane of Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Stickney, Stewart, Thorne, Waddell, Wilson—33.

*Negative*—0.

H. B. 222, S. B. 501, bill to authorize the commissioners of Greene county to levy a special tax, on third reading and passed—yeas 35, nays 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Latham, Mabson, Mebane of Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Stickney, Stewart, Thorne, Troy, Waddell, Wilson, York—35.

*Negative*—0.

S. B. 498, bill to incorporate the town of Huntersville, in the county of Mecklenburg, on third reading and passed—yeas 31, noes 0, as follows:



*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Latham, Mabson, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Stickney, Stewart, Thorne, Waddell, Williams, Wilson, York—31.

*Negative*—0.

And was forthwith transmitted to the House of Representatives without engrossment.

H. B. 316, S. B. 440, bill to incorporate New Hope Baptist Church, Cleveland county, on second reading.

Substitute reported by the committee was adopted, and the bill passed its second and third readings.

S. R. 558, resolution in favor of L. Rosenthal, on second reading.

On motion of Mr. Troy, it was indefinitely postponed.

Message from the House of Representatives, announcing that the House had refused to concur in the Senate amendments to H. B. 320, S. B. 427, bill to amend section 14, chapter 14, Battle's Revisal.

Placed upon the Calendar.

Message from the House of Representatives, transmitting

H. B. 493, S. B. 670, bill to amend chapter 262, of the Laws of 1870-'71, concerning the removal of the obstruction to the passage of shad, up the Pender and other rivers. Referred to Committee on Propositions and Grievances.

H. R. 155, S. R. 677, resolution in favor of James H. Enniss. Referred to Committee on Claims.

H. B. 543, S. B. 673, bill to make all outside and division banks on rice plantations lying upon the Cape Fear River, a lawful fence. Referred to Committee on Propositions and Grievances.

H. B. 404, S. B. 671, bill to change the line between the counties of Ashe and Wilkes. Referred to Committee on Propositions and Grievances.

H. B. 561, S. B. 672, bill to amend section 1, of chapter 14,

Laws of 1874-'75. Referred to Committee on Judiciary.

H. B. 517, S. B. 674, bill to repeal section 46, of chapter 78, of Battle's Revisal. Referred to Committee on Judiciary.

H. B. 599, S. B. 675, bill to enforce collection of unpaid taxes in New Hanover county. Referred to Committee on Judiciary.

H. B. 473, S. B. 676, bill to amend section 3, chapter 241, Laws of 1874-'75. Referred to Committee on Judiciary.

S. B. 618, bill for the relief of the tax-collectors of the city of Charlotte, on second reading.

Mr. Moore of Mecklenburg, moved to amend:

Wherever "tax-collector" occurs, substitute "city constable."

Adopted.

Bill then passed its second and third readings.

H. B. 158, S. B. 512, bill to repeal section 4, chapter 136, of Laws of 1874-'75, being the special order, was on motion of Mr. Graham, postponed until Monday night, 26th instant, and made special order for 8 o'clock.

S. B. 250, bill to establish an Industrial and Educational School for the colored youths, &c., on second reading.

On motion of Mr. Finger, it was laid on the table.

Message from the House of Representatives, requesting the return of H. B. 586, S. B. 648, bill to amend chapter 218, Acts of 1870-'71, to incorporate Mt. Airy and Central Railroad Company, to be corrected.

It was returned to that body.

S. B. 540, bill for the protection of land and stock against idlers and trespassers, on second reading.

Amendments reported by the committee were adopted, and the bill passed its second reading.

Bill was read third time.

Mr. York moved to amend:

Strike out "ten dollars" and insert "five dollars;" strike out "fifty" and insert "ten dollars."

Adopted.

Mr. Bingham moved to amend:

"*Provided*, That the counties west of the Blue Ridge shall not be included within the provisions of this bill."

Adopted.

Mr. Hughes moved to amend:

"*Provided*, The county of Granville shall be exempt from the provisions of this Act."

Lost.

On motion of Mr. Graham, the bill was referred to the Committee on Judiciary.

S. B. 459, bill to construct the Western Insane Asylum, on second reading, it being the special order for that hour.

Amendments of committee were adopted.

Mr. Folk moved to amend:

Strike out "Insane Asylum," wherever it occurs, and insert "Asylum for the insane."

Adopted.

Mr. Moore of Mecklenburg, moved to amend:

Strike out "thirty thousand" and substitute "fifty thousand."

Mr. York called for the yeas and noes on the amendment, which were ordered, and the amendment was lost—yeas 15, noes 22, as follows:

*Affirmative*—Messrs. Bennett, Coke, Dortch, Ferguson, Fin-



ger, Folk, Graham, Johnston, Mabson, Moore of Mecklenburg, Robinson, Sandifer, Thorne, Troy, Young—15.

*Negative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Crawford, Cunningham, Dunn, Hughes, Latham, Liles, Mebane of Rockingham, Mercer, Nicholson, Robins, Roberts, Stickney, Stewart, Waddell, Williams, Wilson, York—22.

Mr. Bingham moved to amend:

Strike out in lines 2 and 3, in section 5, the words “thirty thousand,” and insert in lieu thereof, “fifteen thousand.”

Mr. York moved to amend the amendment:

Strike out “fifteen thousand dollars for the year 1877 and 1878” and insert “fifty dollars for each year, to keep an ordinary board roof on the walls for the next two years, or until the State can sell the same.”

Mr. Folk asked a division of the question, and the Senate refused to strike out.

Mr. Troy asked for the yeas and noes on the passage of the bill, which was ordered, and the bill passed its second reading—yeas 28, noes 11, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Dortch, Ferguson, Finger, Folk, Graham, Hughes, Johnston, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robins, Sandifer, Stewart, Thorne, Troy, Williams, Wilson, Wynne, Young—28.

*Negative*—Messrs. Bingham, Crawford, Cunningham, Latham, Mercer, Nicholson, Roberts, Stickney, Waddell, York—11.

Bill was read third time.

Mr. Sandifer moved to amend:

Strike out “\$30,000” and insert “\$40,000.”

Mr. Caho moved to amend the amendment:

Strike out "forty thousand dollars" and insert "twenty thousand dollars."

Lost.

Mr. York called the yeas and noes upon the amendment of Mr. Sandifer, which were ordered, and the amendment was lost—yeas 17, noes 22, as follows:

*Affirmative*—Messrs. Bennett, Coke, Dortch, Ferguson, Finger, Folk, Graham, Johnston, Mabson, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robinson, Sandifer, Thorne, Troy, Young—17.

*Negative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Crawford, Cunningham, Hughes, Latham, Liles, Mebane of Rockingham, Mercer, Nicholson, Robins, Roberts, Stickney, Stewart, Waddell, Williams, Wilson, Wynne, York—22.

Mr. York moved to amend:

*“Provided, That no person who favored the establishment of so expensive an institution as has been commenced, shall be appointed commissioners.”*

Lost.

Bill passed its third reading.

Mr. Johnson moved that when the Senate adjourn, it do so to meet at 7½ o'clock. Adopted.

On motion of Mr. Liles, the Senate adjourned.

## EVENING SESSION.

SENATE CHAMBER, Feb. 20th, 1877.

Senate met at 7½ o'clock.

Lieut. Governor Jarvis in the Chair.

## PETITIONS.

By Mr. Liles : Petition from citizens of Union county, referred to the Committee on Corporations.

Reports from Standing Committees were submitted, as follows :

From Committee on Propositions and Grievances,

By Mr. Dortch : H. B. 412, S. B. 649, bill to prevent live stock from running at large within the county of Mecklenburg, recommending it do pass.

The following named bills and resolutions were acted upon as follows :

H. B. 488, S. B. 561, bill to repeal and amend certain sections in chapter 6, Battle's Revisal, on second reading.

On motion of Mr. Folk, it was postponed until and made special order for to-morrow at 12 M.

S. B. 612, bill to regulate the sale of weights and measures, and for collection of amounts now due, on second reading and passed, yeas 23, nays 4, as follows :

*Affirmative*—Messrs. Bingham, Boddie, Crawford, Cunningham, Dortch, Finger, Graham, Heilig, Holt, Justice, Mebane of Rockingham, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Thorne, Troy, Wilson, York—23.

*Negative*—Messrs. Hughes, Latham, Mabson, Moore of New Hanover—4.

H. B. 422, S. B. 605, bill to incorporate Trent Lodge, No.



2, Independent Order of Mechanics, of the city of Newbern, county of Craven, on second reading.

Amendments reported by the Committee were adopted. Bill then passed its second and third readings.

S. B. 415, bill concerning elections for members of General Assembly, on second reading.

Mr. Stewart moved to indefinitely postpone.

Mr. Moore of New Hanover, moved to amend the motion by moving to lay upon the table.

Lost.

The motion to indefinitely postpone prevailed.

S. B. 416, bill in relation to constables, on second reading.

On motion of Mr. Moore of New Hanover, it was indefinitely postponed.

S. B. 622, bill for the better protection of sheep husbandry, on second reading.

On motion of Mr. Scales, it was made special order for Friday night at 8 o'clock.

S. B. 597, bill to establish a new township in the county of Rockingham, to be styled Madison Township, on second reading and passed.

Bill passed its third reading.

Mr. Mebane of Rockingham, moved to reconsider the vote by which the bill passed, and moved to lay that motion on the table.

The latter motion prevailed.

H. B. 458, S. B. 594, bill to remove obstructions from and to provide for the passage and propagation of fish in the Catawba and Yadkin Rivers, on second reading.

On motion of Mr Sandifer, it was referred to the Committee on Judiciary.

H. B. 234, S. B. 399, bill concerning the purchase of stationery, on second reading.

Amendments reported by the committee were adopted.

Bill then passed its second reading.

Bill was read third time.

Mr. Latham moved to strike out 2d section.

Mr. Graham moved to amend :

Insert "when" after the word "thereof;" and strike out "deliver" and insert "purchase."

On motion of Mr. Holt, the bill was indefinitely postponed.

#### LEAVE OF ABSENCE

was granted for to-night, to Messrs. Dortch, Ferguson, Coke and Albright, on important committee work.

S. B. 455, bill to protect more effectually the farmers of North Carolina from impositions in the purchase of fertilizers, on second reading.

On motion of Mr. Holt, it was indefinitely postponed.

H. B. 457, bill to provide for the annual collection and publication of statistics of the agricultural products and resources of the State, on second reading.

On motion of Mr. Crawford, it was indefinitely postponed.

H. B. 233, S. B. 516, bill to authorize towns or cities of 5000 inhabitants, and upwards, to levy taxes for the support of graded public schools, on second reading.

Amendments of committee were adopted.

Bill passed its second reading—yeas 20, noes 14, as follows :

*Affirmative*—Messrs. Bennett, Bingham, Caho, Crawford, Cunningham, Dunn, Finger, Graham, Heilig, Johnston, Mabson, Mebane of Bertie, Mebane of Rockingham, Nicholson, Stickney, Stewart, Thorne, Troy. Wilson, Young—20.

*Negative*—Messrs. Boddie, Bryant, Holt, Hughes, Justice, Latham, Liles, Moore of Mecklenburg, Moore of New Han-

over, Robins, Robinson, Roberts, Sandifer, Waddell, York—14.

S. B. 429, bill to amend chapter 201, Laws of 1874-'75, on third reading.

Mr. Scales moved to amend:

1st. Amend title by striking out in line one the words "~~section~~ section 5."

2nd. Amend section 4 by inserting after the word "township," the following words: "under existing laws for the election of members of the General Assembly, so far as they may be applied."

3rd. Amend same section (4) by inserting after the word "borders," in line 16 of said section, the following proviso: "*Provided, however,* That the board of commissioners of the county in which is situated the township adopting the provisions of this Act, may levy a tax upon such townships sufficient to erect such fence, as provided in section 6 of said Act, in case of the county."

4th. After word "provided," in same line, strike out "however" and insert "further;" amend the same section by inserting after the word "notice," in line 7, the words "by at least one publication in each paper published in the county town, and by posting."

Adopted.

Bill then passed its third reading, yeas 30, nays 0, as follows:

*Affirmative*—Messrs. Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Thorne, Troy, Waddell, Wilson, York—30.

*Negative*—0.



S. B. 598, bill to establish an additional township in Rockingham county, on second reading and passed.

Bill then passed its third reading.

Mr. Mebane of Rockingham, then moved to reconsider the vote by which the bill passed, and moved to lay that motion on the table.

The latter motion prevailed.

S. B. 593, bill to drain wet lands, on second reading.

Bill passed its second and third readings.

S. B. 635, bill to repeal section 420, of the Code of Civil Procedure, on second reading.

Bill passed its second and third readings.

H. B. 555, S. B. 606, bill to authorize the commissioners of Dare county to have transcribed deeds and other papers.

Bill passed its second and third readings.

S. R. 617, resolution in regard to taxes improperly collected from the Seaboard and Roanoke Railroad Company, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

H. B. 435, S. B. 631, bill to amend section 10, chapter 105, Battle's Revisal.

Bill passed its second and third readings.

S. B. 642, bill to incorporate the town of Stoneville, in the county of Rockingham.

Amendments reported by the committee were adopted.

Bill passed its second reading—yeas 30, noes 0, as follows:

*Affirmative*—Messrs. Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Stickney, Stewart, Thorne, Waddell, Wilson, York—30.

*Negative*—0.

H. B. 520, S. B. 656, bill to extend the time for the organ-

ization of the Atlantic Iron and Steel Company, and to change its name to Danbury Iron and Steel Manufacturing Company.

Bill passed its second and third readings.

On motion of Mr. Liles, the Senate adjourned.

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### SIXTY-SIXTH DAY.

SENATE CHAMBER, Feb. 21st, 1877.

The Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the chair.

The reading of the Journal of yesterday was dispensed with.

#### PETITIONS AND MEMORIALS.

By Mr. Cunningham: Petition from the citizens of War-ton, relative to the tax on drummers, referred to the Committee on Finance.

By Mr. Hughes: Petition from the citizens of Granville county, referred to the Committee on Propositions and Grievances.

Petition from the citizens of Granville county, referred to Committee on Propositions and Grievances.

By Mr. Coke: Petition of merchants of Bertie, referred to Committee on Finance.

By Mr. Wilson: Petition of citizens of Forsythe, in reference to removing obstruction from Belo Creek, referred to the Committee on Propositions and Grievances.

Petitions from certain citizens of Harnett county, referred to Committee on Propositions and Grievances.

Reports from standing committees were submitted, as follows:

From Committee on Engrossed Bills,

By Mr. York, as correctly engrossed: S. B. 459, a bill to provide for the completion of the Western Asylum for the insane.

S. B. 567, a bill to authorize the board of county commissioners of Caswell county to subscribe to the capital stock of the Yanceyville and Milton Narrow Gauge Railroad Company.

S. B. 635, a bill to amend section 420, of the Code of Civil Procedure, chapter 17, Battle's Revisal.

Senate amendments to H. B. 422, S. B. 605, a bill to incorporate Trent Lodge, No. 2, I. O. O. Mechanics, of the city of Newbern.

S. B. 597, a bill to establish a new township in the county of Rockingham, to be styled Madison township.

S. B. 598, a bill to establish an additional township in the county of Rockingham, to be called New Bethel.

Senate amendments to H. B. 316, S. B. 440, a bill to incorporate New Hope Baptist Church, Cleveland county.

S. B. 618, a bill for the relief of the city constable of the city of Charlotte.

S. B. 548, a bill to authorize the commissioners of Alleghany county to levy a special tax.

By Mr. Waddell: S. B. 429, a bill to amend chapter 201, Laws of 1874-'75, entitled an Act providing a fence law for the counties of Anson, Union and Guilford.

S. B. 593, a bill to drain wet lands.

From Committee on Propositions and Grievances,

By Mr. Dortch: H. B. 543, S. B. 673, bill to make all outside and division banks on rice plantations lying upon the Cape Fear River, from ten miles above Wilmington to mouth of river, lawful fences, recommending it do pass.



H. B. 518, S. B. 657, bill to create a new township in the county of Tyrrell, recommending it do pass.

H. B. 523, S. B. 654, bill to authorize the extension of the cemeteries situated in the town of Washington, Beaufort county, recommending it do pass.

S. B. 636, bill to repeal all Acts providing for the reimbursement by the State of the counties for the support of their insane, recommending it do not pass, regarding it unconstitutional.

S. B. 629, bill to amend section 41, chapter 104, Battle's Revisal, recommending it do pass.

S. B. 587, bill to repeal chapter 255 of the Laws of the General Assembly of 1874-'75, recommending it do not pass.

By Mr. Bingham: S. B. 592, bill to repeal so much of chapter 239, Acts of 1874-'75, as relates to Littleton Warehouse, now known as the town of Littleton, recommending it do not pass.

S. B. 667, bill for the relief of public road hands, recommending it do not pass.

S. B. 624, bill to prohibit the sale of spirituous liquors within one mile or less of Wesley Chapel Church, in the county of Iredell, recommending it do pass.

By Mr. Dunn: S. B. 614, bill to prohibit the sale of intoxicating liquors within two miles of Concord Church, in Brunswick county, recommending it do pass.

By Mr. Roberts: S. B. 628, bill to prohibit the sale of spirituous liquors within two miles of the Orphan Asylum, in Granville county, recommending it do pass.

S. B. 625, bill to amend chapter 83, Battle's Revisal, recommending it do pass.

From Committee on Finance,

By Mr. Holt: S. B. 659, bill to amend chapter 66 of the Laws of 1871-'72, recommending it do not pass.

By Mr. Robins: H. B. 544, S. B. 652, bill to authorize

the commissioners of Alexander county to levy a special tax, recommending it do pass.

By Mr. Graham: S. B. 472, bill to establish normal schools, reporting against any of the amendments proposed to the bill, and a majority recommending the passage of the bill.

S. B. 666, bill to authorize the commissioners of Sampson county to levy a special tax, recomm ass.

H. B. 487, S. B. 630, bill to provide for the collection of taxes by the State, known as the Machinery Act, recommending it do pass.

S. R. 641, Resolution in favor of W. H. Sykes, reporting a substitute, and recommending the substitute do pass.

H. B. 599, S. B. 675, bill to enforce collections of unpaid taxes in New Hanover county, reporting certain amendments, and as amended, recommending it do pass.

From the Committee on Judiciary,

By Mr. Scales: S. B. 278, bill to enable the trustees of the Presbyterian Church, or religious society of Louisburg, Franklin county, in the State of North Carolina, to transfer certain property to the trustees of the Orange Presbytery, in said State, recommending it do pass.

By Mr. Ferguson: Senate substitute for S. B. 234, bill to regulate the times for holding the Superior Courts in the Ninth Judicial District, recommending it do pass.

From Committee on Library,

By Mr. Liles: H. R. 77, S. R. 538, resolution in regard to Report of State Geologist, recommending it do pass.

From the Committee on Corporations,

By Mr. Albright: S. B. 564, bill to incorporate Stonewall Lodge, No. 3, Independent Order of Mechanics, in Pamlico county, North Carolina, without recommendation, as the legal notice required by law had not been given.

By Mr. Nicholson: S. B. 608, bill to incorporate the Charlotte Compress Company, recommending no action, as the necessary legal notice had not been given.



By Mr. Sandifer: S. B. 616, bill to incorporate the town of Enochville, Rowan county, reporting certain amendments, and as amended, recommending it do pass.

S. B. 619, bill to amend the charter of the town of Scotland Neck, reporting an amendment, and as amended, recommending it do pass.

From the Committee on Claims,

By Mr. Finger: S. R. 453, resolution in favor of Peter Adams, Esq., recommending it do not pass.

H. R. 155, S. R. 677, resolution in favor of James H. Enniss, recommending it do pass.

S. R. 627, resolution in favor of J. W. Poe, recommending it do not pass.

Mr. Wilson, from Joint Committee to consider the civil jurisdiction of Justices of the Peace, submitted a report.

From Committee on Corporations,

By Mr. Crawford: S. B. 620, bill to enlarge the powers of the corporate authorities of the town of Monroe, in the county of Union, recommending it do not pass.

By consent, Mr. Moore of New Hanover, introduced a petition from certain citizens of New Hanover; referred to the Committee on Propositions and Grievances.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State:

S. B. 404, H. B. 531, an Act to incorporate the South Fork Bridge Company, in Ashe county.

H. R. 147, S. R. 611, resolution in favor of James B. McPherson, tax collector of Pender county.

S. R. 461, H. R. 141, resolution in favor of the "News Publishing Company."

H. B. 415, S. B. 544, an Act to legalize Ivey Hill township, in the county of Haywood.

S. B. 324, H. B. 406, an Act to incorporate the town of Denver, in the county of Lincoln.

H. R. 129, S. R. 530, resolution of instruction to our



Senators and Representatives in Congress, concerning the Freedman's Savings Bank.

H. B. 459, S. B. 581, an Act to submit to the qualified voters of the town of Shelby, Cleveland county, the question of prohibition or no prohibition of intoxicating liquors within two miles of said town.

H. B. 378, S. B. 542, an Act to repeal chapter 27, Private Laws, 1874-'75.

H. B. 367, S. B. 515, an Act to amend section 5, chapter 44, Private Laws, 1874-'75.

H. B. 344, S. B. 514, an Act to amend chapter 195, Laws 1874-'75.

S. B. 372, H. B. 501, an Act to amend chapter 30, Acts of 1873-'74, being an Act in relation to foreign insurance companies.

H. B. 222, S. B. 501, an Act to authorize the commissioners of Greene county to levy a special tax.

The following named bills and resolutions were introduced, read and passed first time, and were referred or otherwise disposed of, as follows :

By Mr. Coke : S. B. 678, bill to change the boundaries of the town of Elizabeth City. Referred to Committee on Corporations.

S. B. 679, bill prohibiting the sale of liquors in Washington county. Referred to Committee on Propositions and Grievances.

S. B. 680, bill to prevent Registers of Deeds and Superior Court Clerks from acting as attorneys. Referred to Committee on Judiciary.

By Mr. Wilson : S. B. 681, bill to give Justices of the Peace jurisdiction of civil actions not founded on contract. Referred to the Committee on Judiciary.

By Mr. Stewart : S. B. 682, bill to create a new county out of Sampson, Cumberland, Harnett, Johnson and Wayne. Referred to the Committee on Propositions and Grievances.

By Mr. Short : S. B. 683, bill to make uniform the taxation

in all banks in North Carolina. Referred to the Committee on Finance.

By Mr. Scales: S. B. 684, bill in relation to the Geological Survey. Referred to the Committee on Agriculture, Mechanics and Mining.

The following named bills and resolutions were acted upon as follows:

S. B. 607, bill to organize a government for the city of Wilmington, on third reading.

Amendment reported by the Committee on Judiciary was adopted.

Mr. Moore of New Hanover, moved that the bill be postponed. Lost.

Bill then passed its third reading—yeas 36, noes 5, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Waddell, Williams, Wilson, York, Young—37.

*Negative*—Messrs. Dunn, Mabson, Mebane of Bertie, Moore of New Hanover, Thorne—5.

Mr. Troy moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table.

The latter motion prevailed.

S. B. 642, bill to incorporate the town of Stoneville, in the county of Rockingham, on third reading and passed—yeas 38, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Heilig, Holt, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Scales,



Sandifer, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, York, Young—38.

*Negative*—0.

S. R. 453, resolution in favor of Peter Adams, Esq., on second reading.

On motion of Mr. Bingham, it was indefinitely postponed.

S. B. 612, bill to regulate the sale of weights and measures, and for the collection of amounts now due, on third reading and passed—yeas 40, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mabson, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne, York, Young—40.

*Negative*—0.

Hon. A. A. McKay, Judge of the 4th Judicial District, was invited to a seat upon the floor of the Senate.

H. B. 343, S. B. 435, bill to extend the time of taking out grants from the State, on third reading and passed.

Message from the House of Representatives :

H. B. 482, S. B. 685, bill declaring Tranter's Creek a lawful fence. Referred to Committee on Propositions and Grievances.

Engrossed House amendments to

S. B. 389, H. B. 537, bill to refund to the Richmond and Danville Railroad Company certain taxes.

On motion of Mr. Graham, the amendment was concurred in, and the bill ordered enrolled for ratification.

H. B. 366, S. B. 686, bill to establish a boundary line between the counties of Hyde and Tyrrell. Referred to the Committee on Propositions and Grievances.

H. B. 364, S. B. 687, bill to amend Battle's Revisal, chapter 1, being the Act in relation to the asylum for deaf mutes



and blind persons. Referred to the Committee on the Institution for the Deaf, Dumb and the Blind.

H. B. 332, S. B. 688, bill concerning entries of the public lands in Bladen county. Referred to the Committee on Judiciary.

Engrossed House amendments to

S. R. 394, H. R. 139, resolution in relation to a Southern Pacific Railroad.

On motion of Mr. Graham, the amendment was concurred in, and the resolution ordered enrolled for ratification.

H. B. 513, S. B. 689, bill preventing live stock from running at large in the counties of Rowan, Cabarrus and a portion of Iredell. Referred to the Committee on Propositions and Grievances.

H. B. 485, S. B. 690, bill concerning the taking of fish in Little Contentnea Creek and Sandy Run Swamp. Referred to the Committee on Propositions and Grievances.

Engrossed House amendment to

S. B. 221, H. B. 466, bill to consolidate and revise the charter of the town of Winston, and the amendments thereto.

On motion of Mr. Wilson, the amendment was concurred in, and the bill was ordered enrolled for ratification.

H. B. 567, S. B. 691, bill to incorporate the Polk county Narrow-Gauge Railroad Company. Referred to the Committee on Internal Improvements.

H. B. 423, S. B. 692, bill to extend the corporate limits of the town of Salisbury, and to amend the charter of said town. Referred to the Committee on Corporations.

Also returning a correctly engrossed copy of H. B. 586, S. B. 648, Acts of 1870-'71, an Act to incorporate the Mt. Airy and Central Railroad Company. Referred to the Committee on Judiciary.

H. B. 412, S. B. 649, bill to prevent live stock from running at large within the county of Mecklenburg, on second reading and passed—yeas 38, noes 2, as follows:

*Affirmative*—Messrs. Albright, Bennett, Bingham, Caho,

Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Heilig, Holt, Johnston, Justice, Latham, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, York, Young—38.

*Negative*—Messrs. Askew, Wynne—2.

S. B. 441, bill for the relief of the North Carolina State Agricultural Society.

On motion of Mr. Holt, it was postponed until Friday night, 23d inst., at 8½ o'clock.

S. B. 602, bill to authorize the commissioners of Haywood county to appoint a surveyor for certain purposes, on second reading.

The amendments reported by the Committee on Corporations were not adopted.

Bill then passed its second and third readings.

S. B. 492, bill to amend section 4, chapter 100, Battle's Revisal, on second reading and passed.

The bill was put upon its third reading.

On motion of Mr. Folk, it was recommitted to the Committee on Judiciary.

Mr. Mebane of Rockingham, introduced S. B. 693, bill for the relief of Rev. J. Corder, referred to Committee on State Debt.

S. B. 407, bill to amend section 2, of article 6, of the Constitution, on second reading.

On motion of Mr. Crawford, it was postponed until Tuesday, 27th inst., at 12 M., and made the special order for that hour.

H. B. 488, S. B. 561, bill to repeal and amend certain sections in chapter 6, Battle's Revisal, on second reading, it being the special order for this hour.

The amendments of the Judiciary Committee were read.

On motion of Mr. Folk, the yeas and nays were ordered,

and the amendments were adopted, yeas 24, nays 21, as follows :

*Affirmative*—Messrs. Askew, Bennett, Bingham, Bryant, Cunningham, Dunn, Ferguson, Folk, Heilig, Hughes, Johnston, Justice, Mabson, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robinson, Scales, Stewart, Short, Thorne, Wilson, Wynne, Young—24.

*Negative*—Messrs. Boddie, Caho, Coke, Crawford, Dortch, Finger, Graham, Holt, Latham, Liles, Mebane of Rockingham, Mercer, Nicholson, Robins, Roberts, Sandifer, Stickney, Troy, Waddell, Williams, York—21.

Bill then passed its second reading.

Bill was read third time.

Mr. Graham moved to postpone until to-night at 8 o'clock. Lost.

Mr. Coke moved to amend :

Strike out, “a married man ;”

Upon which Mr. Folk called the yeas and noes, which were ordered, and the amendment was lost—yeas 22, noes 24, as follows :

*Affirmative*—Messrs. Askew, Boddie, Caho, Coke, Crawford, Dortch, Finger, Graham, Holt, Latham, Liles, Mebane of Rockingham, Mercer, Nicholson, Robins, Roberts, Sandifer, Stickney, Troy, Waddell, Williams, York—22.

*Negative*—Messrs. Bennett, Bingham, Bryant, Cunningham, Dunn, Ferguson, Folk, Green, Heilig, Hughes, Johnston, Justice, Mabson, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robinson, Scales, Stewart, Short, Thorne, Wilson, Wynne, Young—24.

Mr. Liles moved to amend, by adding as a new section :

“That in case of the death of the wife of the Superintendent of the Asylum for the Insane, the directors shall at once declare the office vacant, and proceed to the election of a



successor; and so continue to declare vacant and elect as long as wives continue to die;”

Upon which Mr. Dortch called the yeas and noes, which were ordered, and the amendment lost—yeas 9, noes 35, as follows:

*Affirmative*—Messrs. Caho, Crawford, Dortch, Finger, Liles, Mebane of Bertie, Sandifer, Stickney, York—9.

*Negative*—Messrs. Askew, Bennett, Bingham, Bryant, Coke, Cunningham, Dunn, Ferguson, Folk, Green, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mabson, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Scales, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne, Young—35.

Question recurred upon the passage of the bill on its third reading, upon which the yeas and noes were ordered.

Bill passed its third reading—yeas 38, noes 5, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Bryant, Coke, Crawford, Cunningham, Dunn, Folk, Green, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stewart, Short, Thorne, Troy, Williams, Wilson, Wynne, York, Young—38.

*Negative*—Messrs. Caho, Dortch, Finger, Stickney, Waddell—5.

Mr. Coke introduced S. B. 694, bill to change the time of holding the municipal elections of the town of Elizabeth City. Referred to the Committee on Judiciary.

Message from the House of Representatives transmitting, without engrossment, H. R. 160, S. R. 708, resolution appointing a committee to confer with the Governor in regard to the Atlantic and North Carolina Railroad.

Mr. Caho moved to suspend the rules and take up the resolution.

Mr. Green objected.

The rules were suspended, and the resolution was adopted.

The communication of his Excellency, the Governor, was ordered to be printed and referred to the special committee when appointed.

On motion of Mr. Graham, the bill known as the "Machinery Act," was made special order for to-morrow at 11 o'clock.

On motion of Mr. Williams, the rules were suspended and S. B. 449, bill to more effectually prevent discrimination in freight tariffs, by railroad companies operating in this State, was taken up on its second reading; and on his further motion, the bill was postponed until Friday next, 23rd, at 11 o'clock A. M.

On motion of Mr. Wynne, the rules were suspended and H. B. 233, S. B. 516, bill to authorize towns or cities of 5,000 inhabitants and upwards, to levy taxes for the support of graded public schools, was taken up on its third reading; and on his further motion, it was postponed until Thursday, 22d inst., at 1 P. M., and made the special order for that hour.

S. B. 601, bill to incorporate King's Mountain Mining Company, passed its second and third readings.

Mr. Sandifer moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table.

The latter motion prevailed.

On motion of Mr. Holt, the Senate adjourned.

## EVENING SESSION.

SENATE CHAMBER, Feb. 21st, 1877.

Senate met at 7½ o'clock.

Lieut. Governor Jarvis in the Chair.

The following named bills and resolutions were acted upon as follows:

S. B. 660, bill to incorporate the trustees of Wentworth Male Academy, in the county of Rockingham, passed its second and third readings.

H. B. 543, S. B. 673, bill to make all outside and division banks on rice plantations, lying upon the Cape Fear River, ten miles above Wilmington, to the mouth of the river, a lawful fence, passed its second and third readings.

H. B. 518, S. B. 657, bill to create a new township in the county of Tyrrell, passed its second and third readings.

H. B. 544, S. B. 652, bill to authorize the commissioners of Alexander county to levy a special tax, on second reading and passed, yeas 36, nays 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, York—36.

*Negative*—Messrs. Green, Moore of New Hanover—2.

On motion of Mr. Hughes, the rules were suspended and S. B. 628, bill to prohibit the sale of spirituous liquors in two miles of the Orphan Asylum, in Granville county, was taken up on its second reading; and on his further motion, it was recommitted to the Committee on Propositions and Grievances.



H. B. 523, S. B. 654, bill to authorize the extension of the cemeteries situated in the town of Washington, Beaufort county, passed its second and third readings.

Mr. Bingham moved to reconsider the vote by which H. B. 488, S. B. 561, bill to repeal and amend certain sections in chapter 6, Battle's Revisal, passed its third reading this morning.

Mr. Folk moved to lay that motion on the table.

Mr. Dortch called the yeas and nays, which were ordered, and the motion to table was lost, yeas 21, noes 23, as follows:

*Affirmative*—Messrs. Bryant, Crawford, Cunningham, Dockery, Ferguson, Folk, Green, Heili, Holt, Hughes, Johnston, Mabson, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robinson, Stewart, Short, Thorne, Wynne and Young.—21.

*Negative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Dortch, Finger, Graham, Latham, Liles, Mebane of Rockingham, Nicholson, Robins, Roberts, Sandifer, Scales, Troy, Waddell, Williams, Wilson and York.—23.

Question recurred upon the motion to reconsider.

Mr. Graham demanded the previous question, which was sustained.

Mr. Moore, of Mecklenburg, called for the ayes and nays upon the motion to reconsidered, which were ordered, and the motion prevailed, yeas 24, noes 23, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Dortch, Finger, Graham, Holt, Latham, Liles, Mebane of Rockingham, Mercer, Nicholson, Robins, Roberts, Sandifer, Stickney, Troy, Waddell, Williams and York.—24.

*Negative*—Messrs. Bryant, Crawford, Cunningham, Dockery, Ferguson, Folk, Green, Heilig, Hughes, Johnston, Justice, Mabson, Mebane of Bertie, Moore of Mecklenburg,

Moore of New Hanover, Robinson, Scales, Stewart, Short, Thorne, Wilson, Wynne and Young.—23.

Question then recurred upon the passage of the bill upon its third reading.

Mr. Coke then moved to amend:

Strike out the words "and a married man."

Mr. Robinson made the point of order that the motion of Mr. Coke was not in order, that motion having been made and rejected upon the third reading of the bill.

The Lieutenant Governor ruled the point well taken, and the motion of Mr. Coke to be out of order.

Mr. Graham appealed from the decision of the Lieutenant Governor, but afterwards, by consent, withdrew his appeal.

Mr. Bennett then moved to reconsider the vote by which the Senate rejected the amendment offered on the third reading of the bill, to strike out the words "and a married man." This motion prevailed.

Mr. Coke demanded the previous question, which was sustained.

Mr. Coke called for the ayes and noes upon the motion of Mr. Bennett, which were ordered, and the motion to reconsider was lost, ayes 23, noes 24, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Dortch, Finger, Graham, Holt, Latham, Liles, Mebane of Rockingham, Mercer, Nicholson, Robins, Roberts, Sandifer, Stickney, Troy, Waddell, Williams and York.—23.

*Negative*—Messrs. Bennett, Bryant, Crawford, Cunningham, Dockery, Ferguson, Folk, Green, Heilig, Hughes, Johnston, Justice, Mabson, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robinson, Scales, Stewart, Short, Thorne, Wilson, Wynne and Young.—24.

Question recurred upon the passage of the bill on its third reading.

Mr. Moore, of Mecklenburg, called for the ayes and noes, which were ordered, and the bill passed its third reading, ayes 40, noes 6, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennet, Bingham, Boddie, Bryant, Crawford, Cunningham, Dockery, Ferguson, Folk, Green, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Scales, Stewart, Short, Thorne, Troy, Williams, Wilson, Wynne, York and Young.—40.

*Negative*—Messrs. Dortch, Finger, Liles, Roberts, Stickney and Waddell.—6.

On motion of Mr. Coke, the Senate adjourned.

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## SIXTY-SEVENTH DAY.

SENATE CHAMBER, Feb. 22nd, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

Prayer by Rev. Dr. Burkhead, of the city.

The reading of the Journal was dispensed with.

### PETITIONS AND MEMORIALS.

By Mr. Wynne: Two petitions of citizens of Raleigh in favor of graded school bill. Placed upon the table.

Reports from Standing Committees were submitted, as follows :

From Committee on Judiciary.



Petition from citizens of Pender county in relation to magistrates, asking to be discharged from its further consideration.

By Mr. Robins: H. B. 516, S. B. 653, bill to repeal chapter 52, Private Laws of 1874-'75, recommending it do pass;

S. B. 66, bill to amend section 2, of an act to amend chapter 64, of Battle's Revisal, ratified 19th March 1875, recommending it do pass;

By Mr. Wilson: S. B. 681, bill to give Justices of the Peace jurisdiction in civil actions not founded on contract recommending it do pass.

By Mr. Bingham: S. B. 640, bill to provide for election of constables, recommending that it do not pass;

S. B. 665, bill to amend Battle's Revisal, chapter 105, recommending it do not pass.

By Mr. Stewart: S. B. 646, bill allowing two constables in Wilmington township, recommending it do not pass;

H. B. 403, S. B. 528, bill concerning the subscription of Buncombe county to the Spartanburg and Asheville Railroad, recommending it do pass.

By Mr. Scales: S. B. 578, bill to amend the charter of the town of Reidsville, Rockingham county, recommending it do pass.

From the Committee on Internal Improvements.

By Mr. Johnston: H. B. 489, S. B. 650, bill to provide for the working of convicts on the Western Fayetteville Railroad, recommending it do pass;

H. B. 586, S. B. 648, bill to amend chapter 218, Acts of 1870-'71, entitled an act to incorporate Mt. Airy and Central Railroad Company, reporting certain amendments and, as amended, recommending the bill do pass;

H. R. 145, S. R. 639, resolution to compel the President of the Western North Carolina Railroad to make a report of the condition of the claims against M. S. Littlefield and G. W. Swepson, and to require the Secretary of State to serve notice, recommending it do pass.

By Mr. Short: H. B. 319, S. B. 417, bill to amend the charter of the Georgia and North Carolina Railroad and for other purposes, a majority recommending that it do pass.

From the Committee on Finance.

By Mr. Troy: H. B. 558, S. B. 617, bill to establish a Board of Audit and Finance for the city of Wilmington, reporting an amendment and, as amended, recommending that the bill do pass.

From the Committee on Corporations.

By Mr. Nicholson: S. B. 584, bill to amend section 10, chapter 182 of the Laws of 1872-'73, reporting an amendment and, as amended, recommending it do pass.

By Mr. Sandifer: S. B. 663, bill to incorporate Roanoke Lodge, No. 89, I. O. O. F., in Williamston, Martin county, N. C., reporting an amendment and, as amended, recommending that it do pass.

From the Joint Committee on the Agricultural Department.

By Mr. Troy: S. B. 668, bill to establish a Department of Agriculture and Immigration and Statistics, and for the encouragement of sheep husbandry, a majority of the Committee recommending its passage, being of the opinion that the establishment of such Department, in the promotion of the great farming interests, is paramount to all other questions now before the General Assembly.

From the Committee on Corporations.

By Mr. Thorne: H. B. 192, S. B. 202, bill to incorporate Albemarle Lodge, No. 74, I. O. O. F., Hertford, N. C., recommending no action until the required legal notice shall be given.

From the Committee on Agriculture, Mechanics and Mining.

By Mr. Holt: S. B. 684, bill in relation to Geological Survey, reporting an amendment and, as amended, recommending it do pass.

From Committee on Engrossed Bills,



By Mr. York, as correctly engrossed : S. B. 601, a bill to incorporate the King's Mountain Mining Company;

S. B. 602, a bill to authorize the Commissioners of Haywood county to appoint a Surveyor for certain purposes;

Senate amendment to H. B. 343, S. B. 435, a bill to extend the time of taking out grants from the State ;

S. B. 642, a bill to incorporate the town of Stoneville in the county of Rockingham;

S. B. 612, a bill to regulate the sale of weights and measures and for the collection of amounts now due;

S. B. 607, a bill to organize a government for the city of Wilmington ;

S. B. 660, a bill to incorporate the Trustees of Wentworth Male Academy, in the county of Rockingham ;

Senate amendments to H. B. 488, S. B. 561, a bill to repeal and amend certain sections of Battle's Revisal in relation to the Insane Asylum at Raleigh.

The following named bills and resolutions were introduced, read and passed first time and were referred, or otherwise disposed of, as follows :

By Mr. Troy: S. B. 694, bill to create and establish Gray's Creek township, in the county of Cumberland. Referred to the Committee on Propositions and Grievances.

By the same: S. B. 695, bill to establish Neuse River township in the county of Wake. Referred to the Committee on Propositions and Grievances.

By the same: S. B. 696, bill for the protection of cotton yards in the city of Raleigh. Referred to the Committee on Propositions and Grievances.

By Mr. Wynne: S. B. 697, bill to regulate the sale of spirituous liquors in the townships of Barton's Creek and New Light in Wake county, North Carolina. Referred to the Committee on Propositions and Grievances.

By Mr. Troy: S. B. 698, bill to amend section 3, chapter 65, Battle's Revisal. Referred to Committee on Judiciary

By Mr. Short: S. B. 699, bill to establish a criminal



court for the county of New Hanover. Referred to the Committee on the Judiciary.

By Mr. Coke : S. B. 700, bill to amend the charter of the town of Edenton. Referred to the Committee on the Judiciary.

By Mr. Holt : S. R. 701, resolution in favor of James T Hunter, Sheriff of Alamance. Referred to the Committee on Finance.

The following named bills and resolutions were acted upon as follows:

S. B. 566, bill to incorporate the Yanceyville and Milton Narrow Gauge Railroad Company, on second reading.

Amendments reported by the Committee on Corporations were adopted.

Bill then passed its second and third readings.

On motion of Mr. Wilson, S. B. 681, bill to give Justices of the Peace jurisdiction in civil actions not founded on contract, was taken up on its second reading, and, on his further motion, it was postponed until Saturday next, 24th inst., at 11 A. M., and made the special order for that hour and ordered to be printed.

H. R. 77, S. R. 538, resolution in regard to report of State Geologist, passed its second and third reading.

On motion of Mr. Troy, S. B. 668, bill to establish a Department of Agriculture, Immigration and Statistics, and for the encouragement of Sheep Husbandry was taken up on its second reading; and on his further motion it was postponed until Friday 23d inst., at 11 o'clock A. M., and made the special order for that hour.

H. B. 412, S. B. 649, bill to prevent live stock from running at large within the county of Mecklenburg, on third reading and passed, ayes 37, noes 1, as follows:

*Affirmative*—Messrs. Bennett, Bingham, Brayant, Caho, Crawford, Cunningham, Dortch, Dockery, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham,

Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robbins, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, York and Young—37.

*Negative*—Mr. Askew.—1.

Mr. Albright was granted leave of absence for to-day on account of sickness.

H. B. 544, S. B. 652, bill to authorize the Commissioners of Alexander county to levy a special tax, on third reading and passed, ayes 34, noes 0, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mercer, Moore of Mecklenburg, Nicolson, Robbins, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, York and Young.—34.

*Negative*—None.

S. B. 578, bill to amend the charter of the town of Reidsville, Rockingham county, on second reading.

Amendments reported by the Committee on the Judiciary were adopted.

Bill then passed its second and third readings.

Message from House of Representatives:

H. B. 511, S. B. 702, bill to regulate the manner of making election returns. Referred to Committee on Judiciary.

H. B. 580, S. B. 703, bill to secure the better drainage of the low lands of the Muddy Fork of Lower Little River in Alexander county. Referred to Committee on Propositions and Grievances.

H. R. 151, S. R. 704, Resolution concerning the Albemarle and Chesapeake Canal Company. Referred to Committee on Internal Improvements.

H. B. 512, S. B. 705, bill to allow the Commissioners of Onslow county to levy a special tax. Referred to Committee on Finance.

H. B. 202, S. B. 706, bill to incorporate the town of



Sparta in Edgecombe county. Referred to Committee on Corporations.

H. B. 582, S. B. 707, bill to change the county lines between the counties of Watauga, Wilkes and Ashe. Referred to the Committee on Propositions and Grievances.

Engrossed House Amendments to

S. B. 418, H. B. 573, bill to aid in the completion of Cheraw and Salisbury Railroad. Placed on the Calendar.

Also asking the return of H. B. 366 and H. B. 435, which was ordered.

H. B. 487, S. B. 630, bill to provide for the collection of taxes by the State, known as the Machinery Act, on second reading, was taken up.

Mr. Graham moved to consider the bill by sections, and that speeches be limited to five minutes each. Prevailed.

By consent, Mr. Sandifer was permitted to enter upon the Journal, a motion to reconsider the vote by which H. B. 488, S. B. 561, bill to repeal and amend certain sections of Battle's Revisal, passed its third reading last night.

The consideration of the Machinery Act was resumed.

Sections one and two were adopted.

Section 3: Mr. Stickney moved to amend:

Insert in line 13 after the word "be," the words "furnished to said assessor and." Adopted.

Mr. Graham moved to amend:

Strike out in line 12 the words "both real and." Adopted.

As amended, section 3 was adopted.

Section 4, was adopted.

Section 5: Mr. Sandifer moved to amend:

Strike out in line 2 the word "due," and insert the words "at least ten days." Lost.

Sections 5 and 6 were adopted.

Section 7: Mr. Graham moved to amend:

In line 4 after the word "canal," insert the word "Company," which prevailed.

As amended, this section was adopted.



Section 8: Mr. Graham moved to amend:

Strike out in line 1 the word "board," and insert "assessors." Adopted.

As amended, the section was adopted.

Section 9: Mr. Graham moved to amend:

Strike out in line 26 the words "for the hire of" and insert the word "from." Adopted.

Mr. Latham moved to amend:

Strike out in line 29, the words "receipt for." Adopted.

Mr. Graham moved to amend:

Insert in line 39, after the word "canal" the word "company." Adopted.

As amend, section 9 was adopted.

Sections 10 and 11 were adopted.

Section 12: Mr. Dockery moved to amend:

Strike out in line 25 the words "twenty-five" and insert "one hundred;" and upon this amendment he called for the ayes and noes, which were ordered.

Mr. Graham demanded a division of the question.

Mr. Mebane, of Rockingham, moved that the Senate go into Committee of of the Whole. Lost.

Question recurring on the motion to strike out, the motion was lost, ayes 17, noes 25. as follows:

*Affirmative*—Messrs. Bryant, Dockery, Green, Hughes, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Robins, Robinson, Roberts Sandifer, Thorne, Troy, Wynne and York—17.

*Negative*—Messrs. Askew, Bingham, Boddie, Caho, Crawford, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Justice, Lathan, Mercer, Moore of Mecklenburg, Nicholson, Scales Stickney, Stewart, Short, Waddell, Williams, Wilson and Young—25.

Mr. Caho moved to strike out sub-division 5, being lines 25 and 26.

Mr. Graham asked for a division of the question, and on

the adoption of the section demanded the previous question, which was sustained.

Mr. Caho demanded the ayes and noes on his motion to strike out, which were ordered and the motion was lost, ayes 12, noes 31, as follows:

*Affirmative*—Messrs. Bennett, Boddie, Caho, Coke, Crawford, Dortch, Latham, Liles, Mebane of Rockingham, Mercer, Robinson and Sandifer—12.

*Negative*—Messrs. Askew, Bingham, Cunningham, Dockery, Ferguson, Finger, Green, Graham, Holt, Hughes, Johnston, Justice, Mabson, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Roberts, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne, York and Young—31.

Section 12 was adopted.

Section 13 adopted.

Section 14: Mr. Graham moved to amend:

Strike out in line 1 the word "Justice" and insert the word "assessors." Adopted.

Thus amended the section was adopted.

Section 15 was adopted.

Section 16: Mr. Stickney moved to amend:

In line 6, strike out the word "they" and insert the word "he." Adopted.

This section was adopted.

Section 17: Mr. Graham moved to amend:

Strike out in line 1 the word "by" and insert the word "after" and strike out in line 2 the word "in" and insert the word "one." Adopted.

Mr. Stickney moved to amend:

Strike out in line 23 the word "their" and insert the word "his." Adopted.

The section was then adopted.

Col. W. J. Green, of Warren, and Hon. W. L. Steele, of Richmond, were invited to seats on the floor of the Senate.

The Machinery Act was resumed:



Sections 18, 19 and 20, were adopted.

Section 21: Mr. Sandifer moved to amend:

Insert in line 3 after the word "infirmity" the following:  
"but poverty or infirmity alone will not be sufficient ground  
for exemption." Lost.

Mr. Mebane of Rockingham, moved to amend:

Strike out the word "both" in the third line and strike  
out "and," between the words "poverty" and "infirmity," in  
the same line. Lost.

The section was then adopted.

Sections 22, 23 and 24 were adopted.

Section 25: Mr. Graham moved to amend:

Strike out in line 7 the words "assessors or," and strike  
out in line 10 the word "assessor" and insert the word "as-  
sessment." Adopted.

The section was adopted.

Section 26: Mr. Graham moved to amend:

Insert after the word "and" in line 6 the words "the com-  
missioners." Adopted.

Mr. Sandifer moved to amend:

Strike out in line 12 the word "shall." Lost.

The section as amended was adopted.

Section 27: Mr. Sandifer moved to amend:

Strike out in line 26 the word "board" and insert "commis-  
sioners." Lost.

Mr. Wilson moved to amend:

Strike out in lines 25 and 26, the words "and kept on the  
docket of the county board" and insert the words "with the  
clerk and kept in the office of the County Commissioners."  
Adopted.

Mr. Mebane of Rockingham, moved to amend:

Insert after the word "collect" in line 28 the words "or  
shall fail to give receipts for taxes as directed in this sec-  
tion." Lost.

As amended, section 27 was adopted.

Section 28 was adopted.



Section 29: Mr. Wilson moved to amend.

Insert in line 51 after the word "sale," the words "of real estate." Adopted.

Mr. Sandifer moved to amend:

Strike out in line 44 the word "two" and insert the word "four." Adopted.

As amended the section was adopted.

Sections 30 and 31 were adopted.

Section 32: Mr. York moved to amend:

Strike out in lines 4 and 5, the words "twenty-five per centum" and insert "ten per centum."

Mr. Graham demanded a division of the question and the Senate refuse to strike out.

Mr. Wilson moved to amend:

Insert after the word "refuse" in line 7, the words "or cannot be found in the county." Adopted.

As amended the section was adopted.

Section 33 was adopted.

Sections 34, 35, 36, 37, 38 and 39 were adopted.

Section 40: Mr. Latham moved to amend:

Strike out all after the word "*Provided*," in line 23 and insert "a majority of any Board of County Commissioners may extend the time for the collection and settlement of the county taxes in their respective counties to such time as they may decree expedient, not to extend beyond the first day of May in the year following that in which the taxes were levied."

Mr. Stickney moved to amend the amendment of Mr. Latham:

Strike out "May" and insert "July." Lost.

Mr. Latham's amendment was adopted.

As amended the section was adopted.

Sections 41, 42, 43, 44, 45, 46, 47, 48 and 49 were adopted.

Question recurred upon the passage of the bill its second reading as a whole.

Mr. Thorne moved to amend section 46: Add at the end of the section the following:

*Provided*, That the County Commissioners shall have power at their discretion to exempt from the operations of this section any poor, infirm person who has no other available means of support."

Mr. Mabson called for the ayes and noes upon the amendment of Mr. Thorne, which were not ordered.

The amendment then failed to pass.

Mr. Graham demanded the previous question upon the passage of the bill on its second reading.

Sustained, and the bill passed its second reading, and was put upon its third reading.

On motion of Mr. Graham, it was postponed until to-morrow morning at 11 o'clock, and made the special order for that hour.

On motion of Mr. Stewart, S. B. 666, bill to authorize the Commissioners of Sampson county to levy a special tax, was taken up and passed its second reading, ayes 35, noes 2, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Dunn, Ferguson, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer Scales, Stickney, Stewart, Short, Thorne, Waddell, Wilson and York—35.

*Negative*—Messrs. Mabson, Moore of New Hanover—2.

A message was ordered to be sent to the House of Representatives, informing that body that the Senate had adopted H. R. 160, S. R. 708, resolution appointing a committee to confer with the Governor in regard to the Atlantic and North Carolina Railroad, and had appointed Messrs. Robins and Dunn as the Senate branch of said Committee.

On motion of Mr. Scales,

H. B. 586, S. B. 648, bill to amend chapter 218, Acts of



1870-'71, entitled An Act to incorporate Mt. Airy and Central Railroad Company, was taken up on its second reading.

The amendments reported by the Committee on Internal Improvements were adopted.

Mr. Scales moved to amend:

Add at the end of section 4 the following, viz: "*Provided*, That this section (except so far as it relates to the Yadkin River, and any arrangement made by said Company with any other Company or Companies. for the improvement of its navigation) shall be of no force and effect, until the main line from Mt. Airy to Greensboro, shall have been first completed;" and amend section 7 by striking out "the 1st day of March, 1877," and inserting the words, "its ratification." Adopted.

The bill then passed its second reading, ayes 37, noes 0, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York.—37.

*Negative*—None.

Mr. Folk was granted indefinite leave of absence on account of sickness.

By consent Mr. Waddell introduced,

S. B. 709, a bill to provide for the removal of the county seat of Johnston county. Referred with the accompanying memorial to the Committee on Propositions and Grievances.

On motion of Mr. Graham the Senate adjourned.



## SIXTY-EIGHTH DAY.

SENATE CHAMBER, Feb. 23d, 1877.

The Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the chair.

Prayer by the Rev. Mr. Norman, of the city.

The reading of the Journal of yesterday was dispensed with.

## PETITIONS.

By Mr. Troy: Petition from the citizens of Wilmington in regard to license tax on drummers. Referred to Committee on Finance.

By Mr. Coke: Petition in regard to fishermen in Bertie county. Referred to the Committee on Propositions and Grievances.

On motion of Mr. Dortch, the President was allowed to add three Senators to the Committee on Propositions and Grievances.

Messrs. Justice, Caho and Heilig were appointed.

Reports from Standing Committees were submitted, as follows:

From the Committee on Judiciary,

By Mr. Mebane, of Rockingham: H. B. 473, S. B. 676, bill to amend section 3, chapter 241, Laws of 1874-'75, recommending it do pass.

By Mr. Stewart: S. B. 626, bill to legalize the acts of Goose Creek Island township in the county of Pamlico, recommending a substitute and that the substitute do pass.

By Mr. Coke: S. B. 644, bill allowing Charlotte Township, in the county of Mecklenburg, three constables, recommending it do not pass.

From Committee on Finance.

By Mr. Troy: H. B. 512, S. B. 705, bill to allow the Commissioners of Anson county to levy a special tax, recommending it do pass;

From the Committee on Corporations.

By Mr. Albright: S. B. 658, bill to incorporate the town of Yancyville, recommending it do pass.

By Mr. Sandifer: S. B. 482, bill to extend the corporate limits of the city of Fayetteville, a majority of the Committee recommend it do not pass.

Mr. Thorne submitted a minority report.

By Mr. Albright: S. B. 678, bill to change the boundaries of the town of Elizabeth City, recommending it do pass.

By Mr. Nicholson: S. B. 643, bill to incorporate the Western Mining and Manufacturing Company. No notice having been given recommend the bill do not pass;

S. B. 669, bill to incorporate the North Carolina Students' Aid Association, recommending it do pass. ✓

By Mr. Crawford: S. B. 623, bill to establish a new county to be called Vance, recommending it do not pass;

From Committee on Engrossed Bills.

By Mr. York: S. B. 566, a bill to incorporate the Yancyville and Milton Narrow Gauge Railroad Company;

S. B. 578, a bill to amend the charter of the town of Reidsville.

By Mr. Waddell from same Committee.

Senate amendments to H. B. 586, S. B. 648, a bill to amend chapter 218, Acts of 1870-'71, entitled An Act to incorporate Mt. Airy and Central Railroad Company.

The following named resolutions and bills were introduced, read and passed first time and were referred, or otherwise disposed of, as follows:

By Mr. Justice: S. B. 710, bill to prohibit the sale of liquors within two miles of Rutherfordton. Referred to Committee on Propositions and Grievances.

By Mr. Coke: S. B. 711, bill to incorporate the Suffolk and Albemarle Sound Railway Company. Referred to the Judiciary Committee.

By Mr. York: S. B. 712, bill to incorporate Moravian Academy, in Wilkes county. Referred to Committee on Corporations.

By Mr. Bennett: S. B. 713, bill to amend chapter 37, Battle's Revisal in relation to divorce and alimony. Referred to the Committee on Judiciary.

By Mr. Troy: S. B. 714, bill to amend the charter of the town of Fayetteville, and to regulate the election of Mayor and Commissioners. Referred to Committee on Corporations.

By the same: S. B. 715, bill to incorporate Cumberland Lodge, No. 5, Knights of Pythias, in the town of Fayetteville. Referred to Committee on Corporations.

Message from House of Representatives transmitting.

H. B. 540, S. B. 716, bill to create a new township in the county of Columbus. Referred to Committee on Propositions and Grievances;

H. B. 452, S. B. 717, bill to authorize the Commissioners of Chatham county to levy a special tax. Referred to the Committee on Finance;

H. B. 386, S. B. 718, bill to authorize the Commissioners of Chowan county to levy a special tax. Referred to Committee on Finance;

H. B. 357, S. B. 719, bill to lay out and construct a public road from Phineas Horton's store, in Wilkes county, to the Deep Gap of the Blue Ridge, in Watauga county. Referred to Committee on Internal Improvements.

Engrossed amendments to H. B. 539, S. B. 350, bill to farm out convicts to labor on the railroad leading to Rutherfordton.



On motion of Mr. Liles, the amendments were concurred in, and the bill ordered enrolled for ratification.

Engrossed amendments to H. B. 618, S. B. 477, bill to incorporate the Black River Navigation Company.

On motion of Mr. Crawford, the amendments were concurred in and the bill ordered enrolled for ratification.

The following named bills and resolutions were acted upon as follows :

H. B. 586, S. B. 648, bill to amend chapter 218, acts of 1870-'71, Act to incorporate Mount Airy and Central Railroad Company, on third reading, and passed, ayes 45, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne, Yerk and Young—45.

*Negative*—None.

Mr. Scales moved to reconsider the vote by which the bill passed its third reading and moved to lay that motion on the table. The latter motion prevailed.

S. B. 48, bill to compromise and settle the State debt was, on motion of Mr. Mebane, of Rockingham, made special order for Monday next at 11 o'clock.

S. B. 482, bill to extend the limits of the town of Fayetteville was, on motion of Mr. Troy, made special order for to-night after the disposition of the agricultural bill.

S. B. 666, bill to authorize the Commissioners of Sampson county to levy a special tax, on third reading, and passed, ayes 42, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Graham, Heilig,

Holt, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, York and Young.—42.

*Negative*—None.

By consent, Mr. Troy introduced S. B. 720, bill to change the name of certain townships in the county of Pender. Referred to Committee on Propositions and Grievances.

By Mr. Wilson: S. B. 721, bill to amend section 119, chapter 33, of Battle's Revisal. Referred to Committee on Judiciary.

By Mr. Scales: S. B. 723, bill to regulate the terms of the several Superior Courts of the several Judicial Districts. Referred to Committee on Judiciary.

Report from Committee on Finance:

By Mr. Graham: S. B. 683, bill to make uniform the taxation on all banks in North Carolina, recommending it do pass.

Mr. Coke introduced a petition from the citizens of Pasquotank county. Referred to Committee on Propositions and Grievances.

Mr. Sandifer withdrew the motion to reconsider the vote by which H. B. 488, S. B. —, bill to repeal and amend certain sections of chapter 6, of Battle's Revisal, passed its third reading.

H. B. 487, S. B. 630, bill to provide for the collection of taxes by the State, known as the Machinery Act, on third reading, it being the special order for that hour.

Mr. Mebane of Rockingham, moved to amend section 27, line 7: Insert after the word "payment," the following: "And for failure to give such receipt stating the State and county tax separately, he shall be guilty of a misdemeanor and on conviction be fined at the discretion of the court." Adopted.



Mr. York moved to amend: Strike out "\$25," and insert "\$100."

Mr. Graham asked for a division of the question and the Senate refused to strike out, ayes 13, noes 32, follows.

*Affirmative*—Messrs. Askew, Bennett, Bingham, Cabo, Coke, Dunn, Latham, Mebane of Rockingham, Moore of Mecklenburg, Robins, Sandifer and York—13.

*Negative*—Messrs. Albright, Boddie, Bryant, Crawford, Cunningham, Dortch, Dockery, Finger, Green, Graham, Heilig, Holt, Hughes, Johnston, Justice, Mabson, Mebane of Bertie, Mercer, Nicholson, Robinson, Roberts, Scales, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne, and Young—32.

Mr. Cabo moved to amend: "Strike out sub division 5, section 12." Lost.

Mr. Finger moved to amend section 28, in line 11: Strike out "December" and insert "November." Adopted.

Mr. Graham moved to amend section 9, line 29: Before "cotton" insert "value of." Adopted.

Mr. Mebane of Bertie, moved to amend section 17, line 19, by inserting between the words "his" and "taxables," the words "or other persons." Lost.

Mr. Thorne moved to amend section 46, by adding:

*"Provided, That the County Commissioners shall have power at their discretion to exempt from the operation of this section any poor infirm person who has no other means of support."*

Adopted.

Mr. Dunn moved to amend section 9 by striking out all of sub-section 3, relating to farming interest. Lost.

Mr. Stewart moved to amend: Add at the end of sub-section 1, section 29, "and his fee for such sale shall be 50 cents."



Mr. Caho moved to amend the amendment by striking out 50 cents and inserting \$1.00

Mr. Graham moved the previous question on the passage of the bill.

Mr. Green, having given notice, offered an amendment as new sections :

Section 30. That upon the sale of any land for taxes according to the provisions of this Act, it shall be the duty of the sheriff selling said land to put the purchaser in possession of the same.

Section 31. That the preceding section shall not prevent the redemption of said land within the time and in the manner prescribed by this Act, and upon the redemption of said land, as aforesaid, it shall be the duty of the sheriff to return to the owner the possession of the said land upon his application for the same."

The call for the previous question was sustained.

Mr. Caho's amendment was lost.

Mr. Stewart's amendment prevailed.

Mr. Green's amendment was lost.

• Bill then passed its third reading.

Mr. Graham moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table.

The latter motion prevailed.

Message from the House of Representatives announcing that the House had refused to recede from its amendments to S. B. 479, H. B. 529, bill to allow the Milton and Sutherland Narrow Gauge Railroad Company to use forty convicts, and asked a Committee of Conference to determine the point at issue.

On motion of Mr. Cunningham, the Senate concurred in the House amendments and the bill was ordered enrolled.

Special order was taken up:

S. B. 668, bill to establish a Department of Agriculture,

Immigration and Statistics, and for the encouragement of sheep husbandry, on second reading, and passed.

Bill was read third time.

Mr. Coke moved to postponed until Tuesday, 27 inst and print 500 copies.

Mr. Johnston moved to amend by saying "print usual number of copies."

Motion to postpone and print prevailed.

Special order was taken up.

S. B. 446, bill to more effectually prevent discriminations in freights by railroad companies in the State, on second reading.

Mr. Troy moved to amend by adding after the word "railroad corporation" the words or "steamboat companies," also in line 4 of same section substitute "such" for "road," in line 9 for the word "railroad" substitute the word "such."

On motion of Mr. York, the bill was postponed until to-night at 7½ o'clock.

Hon. R. H. Cannon, Judge 12th Judicial District, was invited to a seat upon the floor of the Senate.

At 1 P. M., Mr. York introduced the following resolution :

*Resolved*, That in the death of the Hon. John G. Marler, the late Senator of the 33rd district, the Senate of North Carolina, loses one of her most useful and accomplished members, one who was always at his post, as a faithful servant of his constituents, always on the lookout for their good and an ever faithful servant on the watch tower of his mother State.

That in his death North Carolina loses one of her most gifted and noble sons. Though but young in years, yet a full man in intellect and it is with deep sorrow and regret his colleagues in the Senate look to his vacant seat in this



body and fear it will be many days before it will be filled with one so universally beloved.

In the political horizon of North Carolina, his star was onward and upward and was eclipsed by none, and bid fair at no distant day to break forth with all the brightness and glory of the noon day sun.

*Resolved further*, That a copy of these resolutions be sent to his bereaved family, and that the Senate now adjourn for the great respect we entertain for our departed colleague and brother.

Mr. Cunningham arose and said :

Mr. President : It is due alike to my feelings and to the character of my deceased friend that I pay a tribute to his memory. His decease was not unexpected by me, though I feel the sad blow none the less heavily on that account. When we adjourned in December for a recess, I traveled with Mr. Marler as far as Greensboro and felt constrained to speak to him of his failing strength and to urge on him more care for his health. I feared if he returned here that he would hardly see his home again, and it is a consolation to know that a kind Providence so directed that he closed his honorable and useful career in the bosom of his family and among his own people who dearly loved him. Mr. President, I knew intimately our departed colleague, who represented the State in both branches of the Legislature and the more I saw of his public and private life, the higher was my esteem for him. He was a gentleman of sound judgement, of broad and comprehensive views, well informed in regard to public affairs, and diligent and faithful in the discharge of every duty. As a legislator, he kept abreast of all the business before the Assembly, allowing nothing to escape his careful attention; was ever at his post, and acted from intelligent and conscientious convictions. He well deserved the strong hold he had on the confidence and esteem of his constituents and he



made for himself in the legislative halls a name that will be cherished and honored here as it is among that people so sadly bereaved by his death in the very meridian of manhood. But it is an infinite comfort to his many friends that their loss is his gain, for it is the crowning glory of his character that while he was an honest man, a good citizen, a true patriot, he was an humble, sincere and devout christian, and that in all places he manifested supreme allegiance to his religious faith. He was a consistent member of the Methodist church, and while we deplore his loss to the State, and to the family, we have every reason to be assured that he has entered on an eternal and blessed rest.

Mr. Troy said:

Mr. President: I do not know that I can add anything to what has been so well said in regard to the deceased, but it may not be inappropriate for me to submit a few remarks.

I knew Mr. Marler only as a citizen and legislator. As the former he was peculiarly courteous and agreeable, always manifesting the most profound respect for those with whom he was associated.

As a legislator, I knew him well, having served with him four years during the sessions of 1870 to 1874. It was my pleasure to be associated with him in some committee duty, which involved a great deal of labor. I always found him prompt and attentive. He was a faithful sentinel upon the watch-tower, and was zealous, able and useful. His whole desire seemed to be in rendering valuable service to his State. He was chosen by his people to represent them in the Constitutional Convention of 1868, but was not allowed to serve out his entire term but was removed by a telegram from a Commanding General in another State. But in that memorable session when corruption was swaying its board and powerful sceptre, when honesty was the exception, the hands of the deceased were not tainted with

the semblance of wrong, and his pure and unblemished character shown only the more brilliant while contrasted with his surroundings.

He was elected from his district to the Senate in 1874 and again in 1876, in which session he has fallen; and while we bow in humble submission at the rulings of Providence, we can but offer these our expressions of sorrow at the loss of a man whose association was always pleasant and whose life had been so spotless. Though his voice shall never again be heard within these halls, I trust his genial spirit and manly nature may long continue to exert a wholesome influence upon those of us whose good fortune it has been to be associated with him in the discharge of public duties, and who, as his survivors, will be called upon to discharge those duties which would in part have devolved upon him.

In the death of the Hon. John G. Marler, North Carolina has lost a good and upright citizen and faithful and honest public servant, the Senate a courteous, attentive and able member, and his family a kind and affectionate husband and father.

Mr. Nicholson said:

Mr. President: Having known the late Hon. J. G. Marler so long, so intimately and so favorably, I could not reconcile it to my feelings to withhold my testimony to the great moral, political and public worth of the departed Senator. John G. Marler was born and raised in the county of Yadkin. His father possessed but moderate means and hence the attainments to which the late Senator Marler arrived were owing mainly to his own energy, industry and perseverance. He alternately went to school and taught until his fellow citizens began to feel and realize that he was a man who deserved to be taken up and placed in position of public honor and public trust. Hence in the year 1868, when our State was in an unsettled condition, and it was hard to find men who represented the sentiment of the good



people of our then suffering State, the attention of the people of the counties of Yadkin and Surry began to be turned to John G. Marler as the man above all others to represent them in the Constitutional Convention of 1868. He was therefore brought forward as the candidate of the Democratic-Conservative party to represent them in that Convention. Notwithstanding the party lines were so strictly drawn, and the parties equally divided in these two counties, yet so pure and popular was John G. Marler that he was the successful candidate, and at the meeting of the Convention he came to the Capitol, took his seat and there made his first mark as a public servant of the people, and well and faithfully did he perform the duties of that body, securing a large place in the respect and love of his fellow delegates in that body. His next appearance in public life was in the House of Representatives in 1870-'71 and 1871-'72. He served there with great acceptability to that body and to his constituents. Again he was brought forward in 1874 as the candidate for the Democratic-Conservative party for a seat in the Senate from his district. After a very hotly contested campaign he was again elected and came and took his seat here with that very honorable body that composed the Senate of North Carolina in 1874-'75. It is hardly necessary for me to speak of the great acceptability with which he served and how kind and how affable he was with all of his fellow Senators, for there are several here who were here with him who can bear testimony to these statements. Again, last summer when the best men of the Democratic-Conservative party were to be called forth for the rescue of the noble old State of North Carolina, the services of John G. Marler were unanimously called for by the people of his district, and he was re-elected perhaps by a larger majority than any man ever carried that senatorial district. And, Mr. President, when this body met here in November last to enter upon the duties assigned it, he was permitted to meet with us to renew the friendly feelings that existed between him and former



acquaintances, and to form new ones and to endear himself to all and to aid and assist in the onerous duties of this body; but alas! that fell disease, consumption, was singling him out as a shining mark for death.

He separated from us here at the time of recess and went to his home and to his family; and in the inscrutable wisdom of an allwise Providence, he was never to meet us again. He is now no more; he is gone to his reward to meet with all that is good and pure in the presence of a great, a pure and wise God, and to receive according to the deeds done in the body.

This sad occurrence, Mr. President, in our midst should remind us all of the shortness of time, the uncertainty of life and the certainty of death.

Mr. Graham said:

Mr. President: My acquaintance with John G. Marler commenced in the Constitutional Convention of 1868. Owing to the disabilities then imposed on those who formerly held office, comparatively young men were elected by the Democratic party to that Convention. But of that small band, who were closely drawn together, Durham and Marler are no more. The people of this State will mourn their loss and remember with gratitude the services they rendered. I served again with our deceased friend in the Legislature of 1870-'72, and always knew him as an attentive and industrious member. Although his county was almost equally divided in its politics, yet such was the hold he had acquired upon the affections of his people that when I learned that he was a candidate I always felt satisfied that upon the assembling of the Legislature we would find him here. I met him with pleasure at the first of this session, but was pained to notice his feeble health, and when the first announcement was made of his death, it was not unexpected as my apprehensions had foreboded such a result. But when we were informed that such report was premature,

and that his health was again returning, I trusted that the State would again have the benefit of his services, and was shocked upon yesterday to hear the announcement of his death. I unite in the tributes rendered to his memory. He was a useful citizen, a faithful legislator and an honest man, and to this added the crowning glory of an humble and sincere christian.

Mr. Standford said:

Mr. President: I exceedingly regret that I am unable to say anything appropriate to the occasion, as I have just returned to the city and had not heard of the death of Mr. Marler until about half an hour ago, but I do not feel at liberty to permit this occasion to pass without adding my humble tribute to the memory of my deceased brother Senator. I formed the acquaintance of Mr. Marler in November, 1870, when we met as members of the House of Representatives, and from that time up to the present we have served together in the same branch of the General Assembly, and up to the present session had served on the same committee and occupied seats very close to each other, and consequently I think I am prepared to form a correct estimate of the character of Mr. Marler, both as a legislator and as a man, and without any desire to extol the virtues of my deceased friend, I can truthfully say I believe he was as honest, conscientious a legislator as I have ever served with in the General Assembly during my eighteen years service. Always cautious and prudent he never jumped to conclusions, or formed his opinions hastily, but was governed by the dictates of his better judgment, and when once fully convinced what duty demanded he should do, no member was more unfaltering or determined than he. As a man he was genial, affable, kind-hearted and seemed to make it a rule of his life that if he could not say anything good of a man he would not say anything evil. It is often said that the best criterion by which to judge of the true merit of a



man is the estimation in which he is held by his immediate neighbors—those who know him best—and judged by that standard John G. Marler was indeed a noble specimen of a man; and as illustrative of the estimate in which he was held by those who knew him best, I would state that during the present session a prominent Republican from Yadkin county, in a conversation with a Senator now upon this floor, stated that he knew there was at least one honest man among the Democratic Senators and that man was the Senator from Yadkin. The loss of such a man, sir, is a public calamity, for in my humble opinion the great want of the present times is not men of great abilities or splendid oratorical powers, but men of incorruptible integrity and unfaltering devotion to what they believe to be right. While the death of Mr. Marler is a loss to the State and the county of Yadkin, the blow falls with a peculiarly crushing weight upon his own immediate and devoted family. But, sir, in this their hour of sad bereavement they have the consolation of knowing that he for whom they mourn served in the General Assembly for six years during the most trying and corrupt period of the State's history, when many who had occupied prominent positions in the State were falling upon the right and upon the left, unable to resist the temptations by which they were surrounded, with a reputation untarnished and without the tongue of calumny ever having whispered an insinuation against his integrity, and I am certain they have the cordial sympathy of a large number of friends of the deceased in all parts of North Carolina, from Currituck to Cherokee. But, sir, as I remarked a few moments ago I have just returned to the city and had not heard of the death of our deceased brother Senator until within the last half hour, and I will say in conclusion that I heartily endorse the resolution introduced by the Senator from Wilkes.



Mr. Thorne said :

Mr. President: I had not the honor nor the good fortune of a personal acquaintance with the Hon. J. G. Marler, late Senator from Yadkin. But it gives me great pleasure to learn from so many Senators on this floor how greatly and even grandly endowed he was with those fine qualities of head and heart that have ever ennobled human nature. In all the relations and duties of life we are told he was unswervingly true to his convictions of right. As a legislator he never stooped to the role of a mere politician, but conscientiously discharged his duty unmoved by partisan influence. He could not, as Goldsmith tauntingly and too justly said of Burke, "give up to party what was meant for mankind." Such a character is above all praise. "Few and far between" are they who leave the world deserving of so grand a eulogy. To us still on the stage of life he has left a bright example of private and public virtue. Let us show our appreciation of that example by living, like him, a life so unswervingly true, so conscientiously firm in the performance of what we conceive to be our duty that when we come to "join the innumerable host" of the departed, ours will be that sweet peace that is ever sure to come from the consciousness of not having lived in vain—having lived a life like this unfalteringly true to our highest and purest ideal of justice and right.

Mr. Wilson said :

Mr. President: I wish to contribute my humble testimony to the excellent character of our departed friend. I have known Mr. Marler for the last ten years; he resided in a county adjoining mine. I know that he was in every respect a gentleman of high and irreproachable reputation; he was ever faithful and true in all the relations of life; he has been found equal to every station of honor or trust assigned him; he was an able, upright and honest man and had

the confidence and respect of all who knew him. By his death the citizens of Yadkin and the district he represented in this Senate have lost a most active, intelligent and useful Senator, and the State an honored, enlightened and useful legislator. Shortly after the late recess of the General Assembly I received from him a note requesting indefinite leave of absence. My fears were then aroused that we would not have the pleasure of his presence and counsel at any time during the remainder of the session.

Mr. President, in this sad dispensation of Divine Providence we are again reminded of the axiom "that in the midst of life we are in death."

Mr. Robinson said:

Mr. President: On an occasion like this I know that words of eulogy and mere declamation will fall on the ears of the stricken family of our deceased friend as empty and meaningless sounds. But notwithstanding this fact, I do not feel willing to let the occasion pass without adding my feeble tribute to his worth as a man and as a representative of the people of North Carolina. My acquaintance began with Mr. Marler in 1870 as a member of the House of Representatives. I served two terms with him in that body since which time he has been in the Senate. I take a melancholy pleasure in saying that no people had a more trusty or reliable representative, nor the State a more dutiful and patriotic son.

John G. Marler was not a partisan. He was to my mind, Mr. President, the embodiment of all those virtues and qualities which go to make up that grandest character known to our nature—an honest man.

Mr. Hughes said:

Mr. President: I could not allow this opportunity to pass without adding my testimony to what has been so truth-



fully said of the noble character and many virtues of Senator Marler. I had the honor of serving with him in the House of Representatives and whenever I was in his presence I felt that I was in the presence of a good man. He was always ready to go to the assistance of the weak; it was only necessary to convince him that you were right to command his services. He was one of those men who, in my opinion, had in his heart "malice toward none, but charity for all." I cannot express the emotions of sorrow which filled my heart when I heard of his death. I desire to record my vote for the resolution in testimony of his noble character as a christian gentleman and statesman.

The resolution was then unanimously adopted, and the Lieutenant-Governor, in accordance therewith, announced the Senate adjourned.

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EVENING SESSION.

SENATE CHAMBER, Feb. 23rd, 1877.

Senate met.

Lieut. Governor Jarvis in the Chair.

Special order was taken up.

S. B. 449, bill to more effectually prevent discrimination in freights by railroads operating in this State, on second reading.

On motion of Mr. Williams, it was referred to the Committee on Judiciary.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State:



S. R. 245, H. R. 217 resolution in favor of the Petersburg Railroad Company ;

S. B. 478, H. B. 538, an Act increasing the number of Trustees of the University ;

H. B. 556, S. B. 606, an Act to authorize the Commissioners of Dare county to have transcribed deeds and other papers on record in the counties of Hyde, Tyrrell, &c. ;

H. B. 520, S. B. 656, an Act to extend the time for the organization of the Atlantic Iron and Steel Manufacturing Company, incorporated March 22d, 1875, and to change its name ;

H. B. 545, S. B. 673, an Act to make all outside and division banks on rice plantations lying upon the Cape Fear river, from ten miles above Wilmington to mouth of the river, lawful fences ;

H. B. 528, S. B. 654, an Act to authorize the extension of the cemeteries situated in the town of Washington, Beaufort county ;

S. B. 140, H. B. 615, an Act to incorporate the Trustees of Oxford Colored Educational Association, of Granville.

S. R. 394, H. R. 139, resolution in relation to a Southern Pacific Railroad ;

S. B. 389, H. B. 537, an Act to refund to the Richmond and Danville Railroad Company certain taxes ,

S. B. 221, H. B. 466, an Act to consolidate and revise the charter of the town of Winston and the amendments thereto ;

S. B. 618, H. B. 645, an Act for the relief of city Constable of the city of Charlotte.

Reports from standing committees were submitted, as follows :

From Committee on Propositions and Grievances:

By Mr. Justice: S. B. 710, bill to prohibit the sale of spirituous liquors within two miles of Rutherfordton, recommending it do pass ;

S. B. 697, bill to regulate the sale of liquor in the town-

ships of Barton's Creek and New Light, in Wake county, recommending the bill do not pass;

S. B. 582, bill to prohibit the sale of distilled spirits within two miles of the Methodist Church, in Germanton, in Stokes county, recommending it do pass;

S. B. 696, bill for the protection of cotton yards in the city of Raleigh, recommending it do pass;

H. B. 582, S. B. 707, bill to change the county line between the counties of Watauga, Wilkes and Ashe, recommending it do pass.

By Mr. Dortch: S. B. 709, bill to provide for the removal of the county seat of Johnston county, recommending it do pass.

By Mr. Heilig: H. B. 513, S. B. 689, bill to prevent live stock from running at large in the counties of Rowan, Cabarrus and Iredell, recommending it do pass.

By Mr. Caho, S. B. 679, bill prohibiting the sale of liquor in Washington county, recommending it do pass.

From the Committee on Judiciary:

By Mr. Coke: S. B. 711, bill to incorporate the Suffolk and Albemarle Sound Railway Company, recommending it do pass.

The following named bills and resolutions were introduced, read and passed first time and were referred, or otherwise disposed of, as follows:

By Mr. Moore of New Hanover: S. B. 724, bill to repeal portion of chapter 239 of laws of 1874-'75. Referred to the Committee on Propositions and Grievances.

S. B. 441, bill for the relief of the North Carolina Agricultural Society, on second reading.

Mr. Graham moved to amend:

*“ Provided, The said Agricultural Society shall have all their buildings on said property insured in two good insurance companies for at least \$15,000 which policies shall be assigned by the President of the said Agricultural Socie-*

ty to the Treasurer of the State as an additional security, and the failure of the said Society to maintain said policy shall determine the said loan, and the State Treasurer shall order a sale of said property unless the sum herein provided shall be paid."

Adopted.

Bill then passed its second reading, ayes 29, noes 16, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Dockery, Dunn, Ferguson, Graham, Heilig, Holt, Hughes, Johnston, Liles, Moore of Mecklenburg, Robinson, Roberts, Scales, Stanford, Stickney, Short, Thorne, Troy, Williams, Wilson and Wynne—29.

*Negative*—Messrs. Bingham, Bryant, Cunningham, Dortch, Finger, Green, Justice, Latham, Mabson, Mercer, Nicholson, Robins, Sandifer, Stewart, Waddell and York—16.

Mr. Crawford moved to put the bill upon its third reading.

Mr. Green objected.

The rules were suspended and the bill was read the third time and passed.

Mr. Graham moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

S. B. 482, bill to amend the charter of the town of Fayetteville, and to extend the corporate limits thereof, on second reading.

Mr. Crawford called the previous question which was sustained.

Mr. Troy called the ayes and noes which were ordered, and the bill failed to pass its second reading, ayes 13, noes 22, as follows:

*Affirmative*—Messrs. Askew, Boddie, Caho, Dockery, Dunn, Hughes, Mabson, Mebane of Bertie, Moore of New Hanover, Thorne, Troy, Wynne and York—13.

*Negative*—Messrs. Albright, Bingham, Crawford, Cun-



ningham, Dortch, Finger, Graham, Heilig, Holt, Justice, Latham, Liles, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stickney, Stewart, Waddell and Wilson—22.

On motion of Mr. Cunningham, the Engrossing Clerk of the Senate was ordered to send a certified copy to the House of Representatives of S. B. 479, bill to allow the Milton and Sutherlin Narrow Gauge Railroad Company to use forty convicts until December 15, 1877, as it passed the Senate, the engrossed copy having been misplaced, and to ask that as amended by the House it be enrolled for ratification.

On motion of Mr. Cahoon the Senate adjourned.

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### SIXTY-NINTH DAY.

SENATE CHAMBER, Feb. 24, 1877.

The Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the chair.

The reading of the Journal of yesterday was dispensed with.

Mr. Cunningham was granted leave of absence for to-day.

### PETITIONS.

By Mr. Bennett: Petition from citizens of Brunswick county. Referred to the Committee on Propositions and Grievances.

By Mr. Hughes: Petition of citizens of Oxford, in Granville county. Referred to Committee on Propositions and Grievances.

Reports from Standing Committees were submitted as follows :

From Committee on Engrossed Bills :

By Mr. York: as correctly engrossed S. B. 441, a bill for the relief of the North Carolina State Agricultural Society;

S. B. 666, a bill to authorize the Commissioners of Sampson county to levy a special tax ;

A duplicate copy of S. B. 479, a bill to allow the Milton and Sutherlin Narrow Gauge Railroad Company to use 40 convicts until the 19th day of December, 1877 ;

Engrossed Senate amendments to H. B. 487, S. B. 630, a bill to provide for the collection of taxes by the State known as the Machinery Act ;

From Committee on Propositions and Grievances:

By Mr. Dortch: H. B. 493, S. B. 670, bill to amend chapter, 262, of the laws of 1870-'71, recommending it be referred to Committee on Judiciary ;

S. B. 694, bill to create and establish Gray's Creek township in the county of Cumberland, recommending it do pass ;

H. B. 404, S. B. 671, bill to change the line between the counties of Ashe and Wilkes, recommending it do pass;

H. B. 540, S. B. 716, bill to create a new township in the county of Columbus, recommending it do pass ;

S. B. 720, bill to change the names of certain townships in the county of Pender recommending it do pass.

By Mr. Albright: H. B. 482, S. B. 685, bill declaring Tranter's Creek a lawful fence, recommending it do pass.

By Committee on Corporations:

By Mr. Nicholson: S. B. 715, bill to incorporate Cumberland Lodge No. 5, Knights of Pythias, in the town of Fayetteville, recommending it do pass.

By Mr. Scales: S. B. 712, bill to incorporate the Moravian Academy in Wilkes county, recommending it do pass.

By Mr. Crawford: H. B. 423, S. B. 692, bill to extend the

corporate limits of the town of Salisbury and to amend the charter of said town, recommending it do pass.

From the Committee on Judiciary :

By Mr. Ferguson: S. B. 603, bill concerning Greene county, recommending it do pass.

By Mr. Mebane of Rockingham: H. B. 511, S. B. 702, bill to regulate the manner of making election returns, recommending it do pass

By Mr. Wilson: S. B. 569, bill to authorize the Judge of Probate to appoint receivers in certain cases, recommending a substitute and that the substitute do pass ;

H. B. 458, S. B. 594, bill to remove obstructions from and to provide for the passage and propogation of fish in the Catawba and Yadkin rivers, recommending amendments and as amended that the bill do pass.

By Mr. Bingham: S. B. 585, bill to amend Battle's Re-  
vival concerning lunatics, recommending it do pass.

By Mr. Robins: S. B. 535, bill for the relief of the sure-  
ties of T. F. Lee, recommending amendments and as  
amended that the bill do pass.

From Committee on Internal Improvements :

By Mr. Johnston: H. B. 357, S. B. 719, bill to lay out  
and construct a public road from Phineas Horton's store in  
Wilkes county, to the Deep Gap of the Blue Ridge, recom-  
mending it do pass ;

H. B. 567, S. B. 591, bill to incorporate the Polk County  
Narrow Gauge Railroad, recommending amendments and,  
as amended, that the bill do pass.

The following bills and resolutions, reported as correctly  
enrolled, by Committee on Enrolled Bills, were duly rati-  
fied and transmitted to the office of the Secretary of State:

S. B. 477, H. B. 618, bill to incorporate the Black River  
Navigation Company ;

S. B. 350, H. B. 539, bill to farm out convicts to labor on  
the Railroad leading to Rutherfordton, in the county of  
Rutherford ;



H. R. 77. S. R. 538, resolution in regard to report of State Geologist ;

H. B. 544. S. B. 652, a bill to authorize the Commissioners of Alexander county to levy a special tax ;

H. B. 412, S. B. 649, a bill to prevent live stock from running at large within the county of Mecklenburg and certain townships in Cabarrus county;

S. B. 579, H. B. 575, a bill to amend chapter 78, Private Laws of 1870-'71.

The following named bills and resolutions were introduced, read and passed the first time, and were referred, or otherwise disposed of, as follows :

By Mr. Wilson: S. B. 725, bill supplemental to an Act passed the present session of the General Assembly entitled an Act to prohibit the sale of liquors near Salem. Placed on Calendar.

By Mr. Waddell: S. B. 726, bill to alter the constitution of North Carolina. Referred to the Judiciary Committee.

By Mr. Scales: S. B. 727, bill to amend section 74 of the Code of Civil Procedure. Referred to Committee on Judiciary.

By Mr. Moore of Mecklenburg: S. B. 728, bill to repeal chapter 66 laws of 1874-'1875. Placed on the Calendar.

The following named bills and resolutions were acted upon as follows :

H. B. 233, S. B. 516, bill to authorize towns or cities of 5,000 inhabitants, and upwards, to levy taxes for the support of graded public schools, on third reading.

Mr. Finger offered a substitute.

Mr. Wynne moved to strike out "1-10" and insert "1-8." Lost.

Mr. Moore of New Hanover, moved to amend by inserting "every county in the State." Lost.

Mr. Troy moved to amend :

*“Provided,* The provisions of this Act shall extend to Cross Creek township, in the county of Cumberland, provided the application for the election shall be made by 200 of the qualified voters of said township, who shall be freeholders therein and at least one-half of such petitioners shall be of the white race.” Adopted.

Also strike out Fayetteville. Adopted.

The substitute was adopted and the bill passed its third reading, ayes 37, noes 2, as follows:

*Affirmative*—Messrs. Albright, Bingham, Boddie, Caho, Crawford, Dortch, Dockery, Dunn, Ferguson, Finger, Heilig, Holt, Johnston, Justice Latham, Liles, Mabson, Mebane of Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Wilson, Wynne and Young—37.

*Negative*—Messrs. Hughes and York—2.

H. B. 489, S. B. 560, bill to provide for the working of convicts on the Western and Fayetteville Railroad, on second reading, and passed.

Bill read third time and passed.

Mr. Troy moved to reconsider the vote by which the bill passed its third reading and moved to lay that motion on the table. The latter motion prevailed.

The amendments to H. B. 573, S. B. 418, bill to aid in the completion of Cheraw and Salisbury Railroad were concurred in, and the bill ordered enrolled for ratification.

Mr. Bingham moved to reconsider the motion by which S. B. 482, bill to amend the charter of the town of Fayetteville, and to extend the corporate limits thereof, passed its third reading.

Mr. Troy moved to make the motion special order for Monday night.

Mr. Robins moved to table.

Mr. Troy called the previous question, which was sustained.

Mr. Latham called the ayes and noes, which were ordered, and the Senate refused to reconsider, ayes 15, noes 24, as follows:

*Affirmative*—Messrs. Boddie, Bryant, Cahoon, Dockery, Dunn, Hughes, Mabson, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Sandifer, Stauford, Troy Wynne and York—15.

*Negative*—Messrs. Albright, Bingham, Coke, Crawford, Dortch, Finger, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Nicholson, Robins, Robinson, Roberts, Scales, Stickney, Stewart, Short, Waddell and Wilson—24.

S. B. 681, bill to give Justices of the Peace jurisdiction of civil actions not founded on contracts, on second reading.

On motion of Mr. Sandifer, the bill was considered by sections.

Section 1 was adopted.

Section 2: Mr. Wilson moved to amend by striking out all after the word "of," in the second line, to "shall," in the fourth line, and inserting "damages to real estate or for the conversion of personal property or any injury thereto." Adopted.

Section 2 was then adopted.

Section 3 was adopted.

Section 4 was adopted.

Section 5 was adopted.

Section 6: Mr. Wilson moved to amend: Strike out of third and fourth lines the words "when the case shall be heard anew." Adopted.

Section 6 was adopted.

Section 7 was adopted.

Section 8 was adopted.

Section 9 was adopted.

Section 10 was adopted.



Bill then passed its second reading.

The bill was read third time and passed.

Mr. Latham moved to reconsider the vote by which the bill passed its third reading and to lay that motion on the table. The latter motion prevailed.

H. B. 403, S. B. 528, bill concerning the subscription of Buncombe county to the Spartanburg and Asheville Railroad, on second reading.

Bill passed its second and third readings.

H. B. 423, S. B. 692, bill to extend the corporate limits of the town of Salisbury and to amend the charter of said town, on second reading.

Bill passed second reading. ayes 37, noes 0, as follows:

*Affirmative*—Messrs. Albright, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Dortch, Dockery, Dunn, Finger, Graham, Heilig, Hughes, Johnston, Justice, Latham, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Seales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—37.

*Negative*—None.

On motion of Mr. Nicholson, the rules were suspended to take up S. B. 550, bill to prohibit the sale of spirituous liquors within two miles of the church and school at Mooresville, in Iredell county, on second reading.

Mr. Nicholson offered a substitute for the bill which was adopted.

Mr. Justice moved to refer to Committee on Propositions and Grievances.

Mr. Graham called the previous question, and the call was sustained.

Mr. Johnston called for the ayes and noes. Lost.

Bill passed its second reading and was read third time.

Mr. Waddell moved to amend by adding "Johnston

Academy, in Pleasant Grove township, in Johnston county." Adopted.

Mr. Stanford moved to amend, "within two miles of Riley's Creek Baptist Church, Pender county." Adopted.

Mr. Justice moved to insert, "within one mile of the court house in Rutherfordton." Adopted.

Bill then passed its third reading.

The following bills were taken up and indefinitely postponed:

S. B. 341, S. B. 582, S. B. 679, S. B. 614, S. B. 624, H. B. 266 and S. B. 434, S. B. 496, S. B. 261, S. B. 480 and S. B. 549.

On motion of Mr. Mebane of Bertie, S. B. 121, bill concerning the paupers of North Carolina, was taken up from the table and placed on the Calendar.

S. B. 629, bill to amend section 41, chapter 104, Battle's Revisal, on second reading.

Bill passed second and third readings.

S. B. 636, bill to repeal all acts providing for the reimbursement by the State of the counties for the support of their insane, on second reading.

On motion of Mr. Stewart it was indefinitely postponed.

H. R. 155, S. R. 677, resolution in favor of James H. Enniss, on second reading.

Resolution passed its second and third readings.

S. B. 589, bill to define and fix the term of office of certain officers, on second reading, and passed, and was read the third time.

On motion of Mr. Graham, it was indefinitely postponed.

S. B. 644, bill to allow Charlotte township, in the county of Mecklenburg, three Constables.

On motion it was indefinitely postponed.

Mr. Liles introduced S. B. 729, bill in relation to the State and Supreme Court Libraries. Referred to the Committee on Library.

Mr. Troy introduced S. B. 730, bill to provide the means

for the government for the State Penitentiary. Referred to the Committee on Finance.

S. B. 626, bill to legalize the acts of Goose Creek Island township, in the county of Pamlico, on second reading.

Substitute reported by the Committee was adopted and bill passed its second and third readings.

Mr. Robins reported from the Judiciary Committee.

S. B. 721, bill to amend section 119, chapter 33, of Battle's Revisal, recommending a substitute, and that the substitute do pass.

From Committee on Finance.

By Mr. Graham: H. B. 452, S. B. 717, bill to authorize the Commissioners of Chatham county to levy a special tax, recommending it do pass;

S. B. 701, bill in favor of James T. Hunter, Sheriff of Alamance, recommending a substitute and that the substitute do pass pass;

H. B. 83, S. B. 655, bill for the appointment of special tax collectors in certain cases, recommending it be referred to the Judiciary Committee;

S. B. 278, bill to enable the Trustees of the Presbyterian Church at Louisburg, Franklin county, to transfer certain property to the Trustees of the Presbytery of Orange, on second reading.

Bill passed its second and third readings.

By consent, Mr. York introduced S. R. 731, resolution in favor of the widow of the Hon. J. G. Marler.

The rules were suspended and the resolution passed its second and third readings and, on motion of Mr. York, was transmitted to the House of Representatives without engrossment.

Mr. Graham introduced S. B. 732, bill in relation to the Atlantic and North Carolina Railroad Company. Referred to Special Committee to confer with the Governor.

Mr. Coke introduced S. B. 733, bill establishing lay days



in the Cashie river. Referred to Committee on Propositions and Grievances.

Mr. Troy introduced the following protest which was ordered spread upon the Journal:

SENATE CHAMBER, Feb. 24th, 1877.

MR. PRESIDENT: I enter this my protest against the action of the Senate in refusing to pass the bill to extend the corporate limits of the town of Fayetteville. It was a matter of great importance to my people; it was just and proper in its demands, and was purely local in its character, affecting only my immediate constituency, and I can but express my disapproval at the action of the Senate in defeating the bill, and especially in declining to reconsider the bill this morning in order that I might again be heard in the premises.

W. C. TROY,  
Senator 16th District.

H. B. 473, S. B. 676, bill to amend section 3, chapter 241, laws of 1874-'75, on second reading, and passed, and was read the third time.

On motion, it was recommitted to the Judiciary Committee.

S. B. 608, bill to incorporate the Charlotte Compress Company, on second reading. Amendments of the Committee were adopted and the bill passed its second and third readings.

S. B. 662, bill to legalize Holden township, in the county of Wayne, and to change the name thereof, on second reading. Bill passed its second and third readings.

S. B. 533, bill to make malicious prosecution a misdemeanor, on second reading.

Mr. Graham called the ayes and noes, which were ordered, and the bill passed its second reading, ayes 23, noes 21, as follows:

*Affirmative*—Messrs. Albright, Bingham, Bryant, Caho, Coke, Ferguson, Finger, Heilig, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robinson, Roberts, Sandifer, Stickney, Stewart, Thorne, Troy, Williams, Wilson and York—23.

*Negative*—Messrs. Bennett, Boddie, Crawford, Dortch, Dockery, Dunn, Green, Graham, Hughes, Johnston, Justice, Latham, Mabson, Mercer, Moore of Mecklenburg, Robins, Scales, Stanford, Short, Waddell, Wynne and Young—21.

Bill was read third time and Mr. Graham called the ayes and noes which were ordered, and the bill failed to pass, ayes 19, noes 23, as follows:

*Affirmative*—Messrs. Albright, Bingham, Bryant, Caho, Coke, Finger, Heilig, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robinson, Roberts, Stewart, Thorne, Troy, Wilson and York—19.

*Negative*—Messrs. Bennett, Boddie, Crawford, Dortch, Dockery, Dunn, Green, Graham, Hughes, Johnston, Justice, Latham, Mabson, Mercer, Robins, Sandifer, Scales, Stanford, Stickney, Short, Waddell, Wynne and Young—23.

On motion of Mr. Graham, S. B. 407, bill to amend section 2, of Article VI, of the constitution of North Carolina, was referred to the Judiciary Committee.

Mr. Mebane of Rockingham, introduced S. B. 734, bill to incorporate the Dan River Coal and Mining Company. Referred to the Committee on Internal Improvements.

From Committee on Judiciary.

By Mr. Stewart: S. B. 699, bill to establish a Criminal Court for the county of New Hanover, recommending amendments and, with the amendments, that the bill do pass.

From Committee on Finance.

By Mr. Graham : H. B. 386, S. B. 718, bill authorizing the commissioners of Chowan county to levy a special tax, recommending it do not pass.

H. R. 145, S. R. 639, resolution to compel the President of the Western North Carolina Railroad to make report of the condition of the claims against M. S. Littlefield and G. W. Swepson, on second reading.

Resolution passed its second and third readings.

H. B. 460, S. B. 604, bill to incorporate La Grange Lodge No 70, I. O. O. F., in Lenoir county, on second reading.

Amendments of the committee were adopted.

Bill passed its second and third readings.

S. B. 551, bill directing the County Commissioners to prepare and publish yearly statements of the finances of their respective counties, on second reading.

On motion of Mr. York, it was indefinitely postponed.

S. B. 699, bill to establish a Criminal Court for the county of New Hanover, on second reading.

The amendments of the committee were adopted.

Mr. Troy moved to amend, "the salary of said Judge shall be \$1500 per annum."

Mr. Caho moved to amend the amendment by striking out "\$1500" and inserting "\$2000." Adopted.

Mr. Dortch moved to amend :

*"Provided; That the Judge of said Criminal Court shall be allowed to practice in all civil actions."* Lost.

Bill passed its second reading, ayes 34, noes 6, as follows :

*Affirmative*—Messrs. Albright Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Dortch, Ferguson, Finger, Green, Graham, Heilig, Johnston, Justice, Latham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson,



Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson and York—34.

*Negative*—Messrs. Dockery, Dunn, Mabson, Mebane of Bertie, Thorne and Wynne—6.

S. B. 592, bill to repeal so much of chapter 239, acts of 1874-'75, as relates to Littleton warehouse.

On motion of Mr. York, it was indefinitely postponed.

On motion of Mr. Wynne, the vote by which S. B. 697, bill to regulate the sale of liquors in the township of Barton's Creek and New Light, in Wake county, was indefinitely postponed, was reconsidered and the bill referred to committee on Propositions and Grievances

H. B. 328, bill to establish a Department of Agriculture, on second reading.

On motion of Mr. Stewart, it was indefinitely postponed.

S. B. 659, bill to amend chapter 66, of the laws of 1871-'72.

On motion it was indefinitely postponed.

S. B. 587, bill to repeal chapter 255, of the laws of 1874-'75.

On motion of Mr. Sandifer, it was indefinitely postponed.

H. B. 512, S. B. 705, bill to allow the Commissioners of Onslow county to levy a special tax, on second reading and passed, ayes 33, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Dortch, Ferguson, Finger, Graham, Heilig, Hughes, Johnston, Latham, Mebane of Bertie, Mebane of Rockingham, Mercer, Nicholson, Robins' Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Wilson and York—33.

*Negative*—None.

H. B. 383, S. B. 657, bill to incorporate the trustees of Hiawassee Camp Ground, in the county of Clay, on second reading.

Bill passed its second and third readings.

H. B. 452, S. B. 717, bill to authorize the Commissioners

of Chatham county to levy a special tax, on second reading and passed, ayes 31, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Dortch, Ferguson, Finger, Graham, Heilig, Johnston, Justice, Latham, Mebane of Bertie, Mebane of Rockingham, Nicholson, Robins, Robinson, Roberts, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Wilson, Wynne and York—31.

*Negative*—None.

Message from the House of Representative refusing to concur in the Senate amendments to H. R. 106, resolution authorizing the Engrossing Clerk of the House to employ an assistant.

Mr. Robinson moved to recede from Senate amendments.

Mr. Graham moved to postpone until Monday night at 8 o'clock. Prevailed.

Mr. Dortch introduced S. B. 735, bill to create a new township in the county of Greene, to be known as Bull Head. Placed on Calendar.

On motion of Mr. Standford the Senate adjourned.

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## SEVENTIETH DAY.

SENATE CHAMBER, Feb. 26th, 1877.

The Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the chair.

The reading of the Journal of Saturday was dispensed with.

## PETITIONS.

By Mr. Wynne: Petition from the citizens of Rolesville, Wake county. Referred to the Committee on Propositions and Grievances.

By Mr. Short: Petition from citizens of Columbus county. Referred to Committee on Propositions and Grievances.

Leave of absence was granted Messrs. Cunningham and Holt for to-day.

Reports from Standing Committees were submitted, as follows:

From the Committee on Judiciary:

By Mr. Graham: S. B. 610, bill to amend chapter 235, laws of 1869-'70, recommending a substitute and that the substitute do pass.

From Committee on Internal Improvements:

By Mr. Short: S. B. 734, bill to incorporate the Dan River Coal and Mining Company, recommending it do pass.

From Committee on Engrossed Bills:

By Mr. York, as correctly engrossed: Senate amendments to H. B. 233, S. B. 516, a bill to authorize townships containing cities and towns of 5000 inhabitants and upward to levy taxes for the support of graded public schools;

S. B. 608, a bill to incorporate the Charlotte Compress Company:

S. B. 626, a bill to legalize the acts of Goose Creek Island township, in the county of Pamlico;

S. B. 278, a bill to enable the Trustees of the Presbyterian Church at Louisburg to transfer certain property:

Senate amendments to H. B. 460, S. B. 604, a bill to incorporate LaGrange Lodge, No. 7, I. O. O. F., in Lenoir county;

S. B. 662, a bill to legalize Holden township, in the county of Wayne, and to change the name thereof;



S. B. 629, a bill to amend section 41, chapter 104, Battle's Revisal ;

S. B. 550, a bill to prohibit the sale of spirituous liquors in certain localities ;

S. B. 681, a bill to give Justices of the Peace jurisdiction of civil actions not founded on contract.

The following named bills and resolutions were introduced, read and passed the first time, and were referred, or otherwise disposed of, as follows :

By Mr. Standford : S. B. 735, bill to canal Goshen Swamp, in Duplin county. Referred to Committee on Corporations.

By Mr. Coke : S. B. 736, bill to amend sections 229, *a*, chapter 17, Battle's Revisal. Referred to Committee on Judiciary.

By Mr. Caho : S. R. 737, resolution in favor of Robinson L. Ireland, Louis Goodwyn and others, of Pamlico county. Referred to Committee on Claims.

The following named bills and resolutions were acted upon, as follows :

H. B. 452, S. B. 717, bill to authorize the Commissioners of Chatham county to levy a special tax, on third reading, and passed, ayes 29, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Dortch, Dockery, Finger, Graham, Heilig, Johnston, Justice, Latham, Liles, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Stickney, Short, Thorne, Wynne and York—29.

*Negative*—None.

H. B. 423, S. B. 692, bill to extend the corporate limits of the town of Salisbury, and to amend the charter of said town, on third reading, and passed, ayes 25, noes 1, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Dortch, Finger, Graham, Heilig, Johnston, Justice, Latham, Mercer, Moore of Meck-

lenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Stickney, Short and York—25.

*Negative*—Mr. Dockery.

H. B. 512, S. B. 705, bill to allow the Commissioners of Onslow county to levy a special tax, on third reading and passed, ayes 31, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Dortch, Dockery, Finger, Graham, Heilig, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Short, Thorne, Wynne and York—31.

*Negative*—None.

S. B. 699, bill to establish a Criminal Court for the county of New Hanover, on third reading.

Mr. Short moved to amend : Strike out “ two thousand ” and insert “ two thousand five hundred dollars,” as salary for said Judge.” Adopted.

Mr. Graham moved to amend : “ The Clerk of said Court shall be elected by the General Assembly.”

Mr. Moore of New Hanover, called the ayes and noes, which were ordered, and the amendment was adopted, ayes 29, noes 8, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Dortch, Finger, Graham, Heilig, Hughes, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Meecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Short, Wilson and York—29.

*Negative*—Messrs. Bingham, Bryant, Dockery, Mabson, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—8.

Mr. Short demanded the previous question which was sustained, and the bill passed its third reading, ayes 31, noes 9, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham,



Boddie, Caho, Coke, Crawford, Dortch, Finger, Graham, Heilig, Johnston, Justice Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Short, Williams, Wilson and York—31.

*Negative*—Messrs. Bryant, Dockery, Green, Hughes, Mabson, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—9.

Mr. Short moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

Message from House of Representatives:

H. B. 366, S. B. 738, bill to establish a boundary line between the counties of Hyde and Tyrrell. Referred to Committee on Propositions and Grievances.

Engrossed amendments to S. R. 615, H. R. 158, resolution to provide additional aid for the Engrossing Clerk of the Senate and the Enrolling Clerk.

On motion of Mr. Graham, the amendments were concurred in and the bill ordered enrolled.

Engrossed amendments to S. B. 458, H. B. 570, bill to provide for an Inferior Court in the several counties of the State. Referred to the Judiciary Committee.

H. B. 498, S. B. 739, bill to authorize the construction of a turnpike road from Hayesville to Murphy. Placed on the Calendar.

H. B. 450, S. B. 740, bill to repeal section 2, chapter 200, laws of 1874-'75. Referred to the Judiciary Committee.

H. B. 515, S. B. 741, bill to prohibit the exportation of partridges. Referred to Committee on Propositions and Grievances.

Engrossed amendments to S. B. 367, H. B. 535, bill concerning the town of Goldsboro.

On motion of Mr. Dortch, the amendments were concurred in and the bill ordered enrolled for ratification.



H. R. 177, S. R. 742, resolution to raise a Joint Committee on adjournment.

On motion of Mr. Standford, the rules were suspended and the resolution adopted.

The President appointed Messrs. Stickney, Crawford and Standford as Senate branch of said Committee.

H. B. 363, S. B. 743, bill to repeal sections 51, 52 and 53 of chapter 63, of Battle's Revisal. Referred to Committee on Judiciary.

#### SPECIAL ORDER.

S. B. 48, bill to compromise and settle the State debt.

On motion of Mr. Nicholson, it was postponed until 11 o'clock to-morrow.

Mr. Crawford introduced a petition from the citizens of Rowan county. Referred to the Committee on Propositions and Grievances.

H. B. 192, S. B. 202, bill to incorporate Albemarle Lodge, No. 74 Independent Order of Odd-Fellows, Hertford, North Carolina, on second reading.

The bill passed its second and third readings.

H. B. 511, S. B. 702, bill to regulate the manner of making election returns, on second reading, and passed.

The House of Representatives refused to concur in Senate amendments to H. B. 320, S. B. 427, bill to amend sec. 14, chap. 14, Battle's Revisal. The Senate insisted and asked for a Committee of Conference, and the President appointed as Senate branch of the Committee Messrs. Folk, Latham and Green.

S. B. 684, bill in relation to the Geological Survey, on second reading.

The amendments of the Committee were adopted, and the bill passed its second reading.

The bill was read the third time.

Mr. Robinson moved to postpone until Wednesday night at 8 P. M.

Mr. Johnston moved to amend :

*“Provided, That the salary of the State Geologist shall not exceed eighteen hundred dollars.”*

Mr. Liles called the previous question, which was sustained.

Mr. Stewart called for the ayes and noes, which were ordered.

Mr. Johnston's amendment was adopted, ayes 26, noes 16, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Ferguson, Green, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mercer, Nicholson, Robinson, Roberts, Standford, Stewart, Williams, Wynne, York and Young—26.

*Negative*—Messrs. Bennett, Bryant, Dortch, Dockery, Graham, Heilig, Mebane of Rockingham, Moore of Mecklenburg, Robins, Sandifer, Scales, Stickney, Short, Thorne, Troy and Wilson—16.

On motion of Mr. Robinson, the ayes and noes were ordered on third reading of the bill.

The bill passed its third reading, ayes 26, noes 14, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Graham, Heilig, Liles, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Williams and Wilson—26.

*Negative*—Messrs. Bryant, Dortch, Dockery, Ferguson, Green, Hughes, Johnston, Latham, Mabson, Mercer, Robinson, Wynne, York and Young—14.

H. B. 520, S. B. 716, bill to create a new township in the

county of Columbus, on second reading. Bill passed its second and third readings.

S. B. 725, bill supplemental to a bill passed the present session of the General Assembly entitled an Act to prohibit the sale of liquors near Salem and Winston, in Forsythe county, on second reading. Bill passed its second and third readings.

Mr. Robinson moved that when the Senate adjourned to-day it do so until to-morrow morning at 10 o'clock. Prevailed.

Mr. Graham reported from the Finance Committee:

S. B. 730, bill to provide the means for the government for the State Penitentiary, recommending it do pass.

Mr. Moore of Mecklenburg, introduced a petition from the Faculty of Biddle's Institute. Referred to Committee on Education.

S. B. 556, bill to repeal section 82, chapter 102, Battle's Revisal, on second reading.

On motion of Mr. Stewart, it was indefinitely postponed.

S. B. 728, bill to repeal chapter 66, laws of 1874-'75, on second reading. Bill passed its second and third readings.

S. R. 557, resolution in regard to convicts of this State, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 584, bill to amend section 10, chapter 182, of the laws of 1872-'73, on second reading.

The amendments of the Committee were adopted.

Bill passed its second and third reading.

S. B. 613, bill to amend section 361 of the Code of Civil Procedure, on second reading. Bill passed its second and third readings.

S. B. 665, bill to amend Battle's Revisal, chapter 105, on second reading.

On motion of Mr. Albright, it was indefinitely postponed.

S. B. 643, bill to incorporate the Western Mining and Manufacturing Company, on second reading.



On motion of Mr. Bingham, it was recommitted to the Judiciary Committee.

H. B. 386, S. B. 718, bill to authorize the Commissioners of Chowan county to levy a special tax, on second reading.

On motion of Mr. Coke, it was indefinitely postponed.

S. B. 603, bill concerning Greene county, on second reading.

Mr. Dortch moved to amend: Strike out in line 12, section 1, the words "and ten cents for each additional copy sheet" Adopted.

Bill passed its second and third readings.

S. B. 646, bill allowing two constables for Wilmington township, on second reading.

On motion of Mr. Nicholson, it was indefinitely postponed.

S. B. 664, bill to amend chapter 64, of Battle's Revisal, on second reading. Bill passed its second and third readings.

H. B. 516, S. B. 653, bill to repeal chapter 52, Private Laws of 1874-'75, on second reading. Bill passed its second and third readings.

S. B. 532, bill to make slander and seduction a misdemeanor, on second reading.

On motion of Mr. Wilson, it was indefinitely postponed.

Mr. Stanford moved to reconsider the vote by which S. B. 1, bill to make malicious prosecution a misdemeanor, failed to pass its third reading, the motion to be entered upon the Journal to be taken up at the pleasure of the Senate.

H. B. 558, S. B. 647, bill to establish a Board of Audit and Finance for the city of Wilmington, on second reading.

The amendments of the Committee were adopted.

Bill passed its second reading and was read third time.

Mr. Moore of New Hanover, called the ayes and noes, which were ordered, and the bill passed its third reading, ayes 33, noes 9, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Dortch, Ferguson, Finger, Graham, Heilig, Johnston, Justice, Latham, Liles, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Wilson, York and Young—33.

*Negative*—Messrs. Dockery, Dunn, Green, Hughes, Mabson, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—9.

S. B. 386, bill to incorporate the Angola Canal and Road Company, on second reading.

Mr. Standford offered a substitute.

Mr. Moore of New Hanover, moved to amend: Strike out "convicts" and insert "laborers of the said county." Lost.

Mr. Johnston moved to amend: "That this act shall be of no effect unless at least five hundred convicts shall be left to work on the Western North Carolina Railroad." Lost.

Mr. Troy moved to amend: Strike out "twenty-five" and insert "thirty." Adopted.

The substitute was adopted.

The bill passed its second and third readings.

Message from the House of Representatives, transmitting engrossed amendments to S. B. 320, H. B. 617, bill to authorize the Dan River Navigation Company to employ convicts, was received.

The amendments were concurred in, and the bill was ordered enrolled for ratification.

H. B. 594, S. B. 744, bill to change the line between Hertford and Bertie. Referred to Committee on Propositions and Grievances.

Mr. Liles, from Joint Committee on Library, reported on S. B. 729, bill in relation to the State and Supreme Court Libraries, reporting a substitute and recommending it do pass.

Under a suspension of the rules the bill was put upon its passage.

The substitute was adopted.

Bill passed its second and third readings.

H. B. 319, S. B. 417, bill to amend the charter of the Georgia and North Carolina Railroad, and for other purposes, on second reading.

Mr. Johnston moved to amend :

*“ Provided, That when the convicts herein mentioned shall be put to work on the Western North Carolina Railroad, at Murphy, the same number shall also be put to work on the Paint Rock branch.”* Lost.

Mr. Johnston moved to amend :

*“ Provided, That when the said Western North Carolina Railroad is graded to Asheville there shall be a number of convicts, (over and above an equal number as now provided by law,) equivalent to the time and number of convicts herein allowed to the Cherokee branch, placed to work on the French Broad branch of the road.”* Lost.

Pending consideration of the bill,

On motion of Mr. Bingham, the Senate adjourned.

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## SEVENTY-FIRST DAY.

SENATE CHAMBER, Feb. 27th, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

Prayer by Rev. Dr. Vaughan, of the city.

The reading of the Journal was dispensed with.



## PETITIONS

By Mr. Wynne: Petition from Rolesville, Wake county, in regard to sale of liquor. Referred to Committee on Propositions and Grievances.

By Mr. Hughes: Petition from citizens of Northampton county in regard to sale of liquor. Referred to Committee on Propositions and Grievances.

Reports from Standing Committees were submitted as follows:

By Committee on Corporations:

By Mr. Albright: S. B. 714, bill to amend the charter of the town of Fayetteville, and to regulate the election of Mayor, and Commissioners, recommending its passage.

By Mr. Sandifer: S. B. 661, bill to incorporate the Chapel Hill Iron Mountain Railroad Company, with an amendment, recommending it do pass.

From Committee on Propositions and Grievances:

By Mr. Dortch: H. B. 485, S. B. 690, bill concerning the taking of Fish in Little Contentnea creek and Sandy River swamp, recommending do pass;

S. B. 640, bill to restrict the Commissioners of Pender county in certain cases, recommending it do pass.

By Mr. Caho: S. B. 536, bill to prevent the hauling of seines and drag nets in the waters of Upper Broad Creek, Pamlico county, recommending an amendment and as amended that the bill do pass.

By Mr. Wynne: S. B. 695, bill to establish Neuse River township, in the county of Wake, recommending it do pass.

By Mr. Heilig: H. B. 594, S. B. 744, bill to change a portion of the dividing line between the counties of Hertford and Bertie, recommending it do pass.

By Mr. Roberts: H. B. 515, S. B. 741, bill to prohibit the

exportation of partridges, reporting an amendment and recommending it do pass.

By Mr. Justice: S. B. 697, bill to regulate the sale of liquor in the township of Barton's Creek and New Light, in Wake county, recommending it do pass.

From Committee on Judiciary.

By Mr. Ferguson: S. B. 492, bill to amend section 4, chapter 100, Battle's Revisal, reporting an amendment and as amended recommend that the bill do pass.

By Mr. Cahoon: S. B. 736, bill to amend section 229, a, chapter 17, Battle's Revisal, recommending it do pass.

By Mr. Scales: S. B. 723, bill to regulate the terms of the several Superior Courts, of the several Judicial Districts, recommending it do pass;

S. B. 700, bill to amend the charter of the town of Edenton, recommending it do pass.

By Mr. Mebane of Rockingham: House amendments to S. B. 458, H. B. 570, bill to provide for an Inferior Court in the several counties of the State, recommending an amendment and as amended the House amendments be concurred in.

By Mr. Stewart: S. B. 175, bill to amend sections 75 and 76, chapter 33, Battle's Revisal, a majority recommending it do pass.

By Mr. Robins: S. B. 694, bill to change the time of holding the municipal elections of the town of Elizabeth City, recommending it do pass.

By Mr. Bingham: S. B. 713, bill to amend chapter 37, Battle's Revisal, in relation to divorces and alimony, recommending it do not pass.

From Committee on Engrossed Bills:

By Mr. York: Senate amendments to H. B. 558, S. B. 647, a bill to establish a Board of Audit and Finance for the city of Wilmington;

S. B. 728, a bill to repeal chapter 66, Laws of 1874-'75;

S. B. 584, a bill to amend section 10, chapter 182, Laws of 1872-73 ;

S. B. 725, a bill supplemental to an act passed the present session of the General Assembly, entitled an Act to prohibit the sale of spirituous liquors near Salem and Winston and for other purposes ;

S. B. 386, a bill to canal Angola Bay ;

S. B. 613, a bill to amend section 361 of Code of Civil Procedure ;

S. B. 603, a bill concerning burnt records in Greene county :

S. B. 664, a bill to amend section 2, of an Act entitled an Act to amend chapter 64, of Battle's Revisal, ratified 19th of March, 1875 ;

S. B. 729, a bill in relation to the State and Supreme Court Library ;

S. B. 696, a bill to establish a Criminal Court in the county of New Hanover.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State :

H. B. 383, S. B. 651, an Act to incorporate the trustees of Hiawassee Camp Grounds in the county of Clay ;

H. B. 403, S. B. 528, An Act concerning the subscription of Buncombe county to the Spartanburg and Asheville Railroad ;

S. B. 418, H. B. 573, an Act to aid in the completion of the Cheraw and Salisbury Railroad ;

S. B. 479, H. B. 529, an Act to allow the Milton and Sutherlin Narrow Gauge Railroad Company to use forty convicts until the 15th of December, 1877 ;

H. R. 155, S. R. 677, resolution in favor of James H. Enniss ;

H. R. 145, S. R. 639, a resolution to compel the President of the Western North Carolina Railroad to make report of the condition of the claim against M. S. Littlefield and G.



W. Swepson, and to require the Secretary of State, to serve notice, &c ;

H. B. 489, S. B. 650, an Act to provide for the working of convicts on the Western Railroad ;

S. R. 615, H. R. 158, resolution to provide additional aid for the Engrossing Clerk and Enrolling Clerk ;

S. B. 495, H. B. 612, an Act to support the Insane Asylum of North Carolina.

The following named bills and resolutions were introduced, read and passed first time and referred, or otherwise disposed of, as follows :

By Mr. Coke : S. B. 745, bill to create two new townships in Halifax county. Referred to Committee on Corporations.

By Mr. Short : S. B. 746, bill to prohibit the sale of spirituous liquors in two and a half miles of certain churches in Columbus county. Referred to Committee on Propositions and Grievances.

By Mr. Troy : S. B. 747, bill to amend chapter 1, of acts ratified March 7th, 1875. Referred to Committee on Judiciary.

By Mr. Stickney : S. B. 748, bill to provide for the holding the May term of Pitt Superior Court. Referred to Committee on Judiciary.

By Mr. York : S. R. 749, resolution in favor of three sessions of the Senate a day. Placed on the Calendar.

#### UNFINISHED BUSINESS.

H. B. 319, S. B. 417, bill to amend the charter of the Georgia and North Carolina Railroad, and for other purposes, on second reading.

Question recurring upon the amendment of Mr. Sandifer :

*“Provided, That the number of convicts provided for by*

this act shall be considered as a part of the five hundred provided for the Western North Carolina Railroad."

Upon which he called the ayes and noes, which were ordered.

Mr. Justice moved to amend the amendment by adding, "when said 50 convicts are transferred to said Western North Carolina Railroad." Lost.

Mr. Sandifer's amendment was lost, ayes 20, noes, 24, as follows:

*Affirmative*—Messrs. Albright, Bingham, Boddie, Coke, Cunningham, Folk, Green, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Robins, Roberts, Sandifer, Scales, Stickney, Troy, Waddell and Wilson—20

*Negative*—Messrs. Askew, Bennett, Bryant, Caho, Crawford, Dortch, Dockery, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Mabson, Mebane of Bertie, Moore of New Hanover, Robinson, Stewart, Short, Thorne, Wynne and York—24.

Bill passed its second reading, and was read third time.

Mr. Nicholson moved to amend:

"*Provided*, That after the Western North Carolina Railroad is graded to Asheville then shall be put to work on the French Broad branch over and above an equal division of the convicts allowed to the Western North Carolina Railroad, such a number as shall be equivalent to the number herein given to Ducktown branch on said road, the time for which said 50 convicts shall be at work on said Ducktown branch, being taken into consideration in such divisions."

Upon which he called for the ayes and noes, which were ordered.

Mr. Short moved the previous question on the passage of the bill, which was sustained.

Mr. Nicholson's amendment was lost, ayes 17, noes 27, as follows:

*Affirmative*—Messrs. Albright, Boddie, Cunningham, Folk, Graham, Holt, Johnston, Justice, Latham, Liles, Mercer, Nicholson, Robins, Sandifer, Seales, Stewart and Waddell—17.

*Negative*—Messrs. Askew, Bennett, Bingham, Bryant, Caho, Crawford, Dortch, Dockery, Dunn, Ferguson, Finger, Green, Heilig, Hughes, Mabson, Mebane of Bertie, Moore of New Hanover, Robinson, Roberts, Standford, Short, Thorne, Troy, Williams, Wilson, Wynne and York--27.

Bill passed its third reading.

Mr. Robinson moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table.

The latter motion prevailed.

The Engrossing Clerk was instructed to correct clerical mistake in the bill creating a Criminal Court for the city of Wilmington.

The special order was taken up,

S. B. 47, bill to compromise, commute and settle the State debt, on second reading.

Mr. Nicholson offered a substitute:

"WHEREAS, The General Assembly of 1874-'75, passed an Act to compromise, commute and settle the State debt, and *whereas*, the time has now expired in which the provisions of this Act for the exchange and issue of bonds was in force; and *whereas*, the bondholders, as a body, have failed or neglected to come forward and avail themselves of the proposals made in the aforesaid Act, now therefore:

SECTION 1. *The General Assembly of North Carolina do enact:*

That there shall be no further propositions made by the General Assembly to compromise, commute and settle the State debt until the question of the settlement of the State debt be first submitted to a vote of the qualified voters of the



State, as to the the amount they are willing to pay and the time and manner of paying it.

SEC. 2. That this Act shall take effect from and after its ratification.

Mr. Crawford moved to lay the whole matter on the table.

Mr. Stickney called for the ayes and noes, which were ordered.

The motion to table prevailed, ayes 29, noes, 18 as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Dockery, Graham, Johnston, Justice, Latham, Liles, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Standford, Short, Troy, Waddell, Wynne and York--29.

*Negative*—Messrs. Coke, Dunn, Finger, Folk, Green, Heilig, Holt, Hughes, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Sandifer, Scales, Stickney, Stewart, Thorne, Williams and Wilson—18.

#### SPECIAL ORDER,

S. B. 407, bill to amend section 2, Article VI, of the constitution of North Carolina, on second reading.

Mr. Crawford demanded the previous question, which was sustained.

Mr. Hughes called the ayes and noes, which were ordered.

Bill failed to pass it second reading, for want of the necessary three-fifths vote, ayes 28, naves 19, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Dortch, Ferguson, Folk, Graham, Heilig, Justice, Latham, Liles, Mercer, Moore of Mecklen-

burg, Nicholson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Waddell, Williams and Young—29.

*Negative*—Messrs. Albright, Cunningham, Dockery, Dunn, Finger, Green, Hughes, Johnston, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Robins, Robinson, Thorne, Troy, Wilson, Wynne and York—19.

Mr. Crawford moved to reconsider the vote by which the bill failed to pass its second reading. Prevailed.

Question recurred upon the passage of the bill, on its second reading.

Mr. Dunn moved to amend, by saying "State and county taxes," instead of "poll."

Upon which he called the ayes and noes, which were ordered, and the amendment lost, ayes 6, noes 42, as follows:

*Affirmative*—Messrs. Dockery, Dunn, Green, Mebane of Bertie, Moore of New Hanover and Thorne—6.

*Negative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson, York and Young—42.

Mr. Robins moved to amend, "and not exempt by the Commissioners on account of poverty and infirmity."

Mr. Caho moved to amend:

"*Provided*, That the provisions of this act shall not apply to those that may be exempted from poll tax by the proper authorities and by age." Lost.

Mr. Robins' amendment was adopted.

Mr. Dunn moved to amend: Insert after "poll," "State and county tax."

Upon which he called the ayes and noes, which were ordered.

Mr. Crawford called the previous question, which was sustained.

Mr. Dunn's amendment was lost, ayes 4, noes 43, as follows :

*Affirmative*—Messrs. Dockery, Dunn, Green and Thorne—4.

*Negative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson, Wynne, York and Young—43.

Bill passed its second reading, ayes 31, noes 18, as follows :

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Dortch, Ferguson, Folk, Graham, Heilig, Holt, Justice, Latham, Liles, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Williams and Young—31.

*Negative*—Messrs. Albright, Bryant, Cunningham, Dockery, Dunn, Finger, Green, Hughes, Johnston, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Robinson, Thorne, Wilson, Wynne and York—18.

Mr. Crawford moved to suspend the rules and put the bill on its third reading, upon which Mr. Craham called the ayes and noes, which were ordered, and the rules were suspended, ayes 28, noes 16, as follows :

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Caho, Coke, Crawford, Dortch, Graham, Helig, Holt, Latham, Liles, Mercer, Moore of Mecklenburg, Nicholson, Robins,



Roberts, Scales, Standford, Stickney, Stewart, Short, Waddell, Williams, Wilson and Young—28.

*Negative*—Messrs. Bennett, Bryant, Cunningham, Dockery, Dunn, Ferguson, Finger, Green, Hughes, Johnston, Justice, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Sandifer and Thorne—16.

The bill was read a third time.

Mr. Thorne moved to amend:

“*Provided*, That no unmarried man over twenty-five years old shall vote unless he shall have paid a tax of ten dollars to be devoted to educational purposes.”

Mr. Askew moved to amend: The word “poverty” shall not mean to include any able-bodied subject who is subject to poll tax.

Mr. Crawford demanded the previous question, which was sustained.

Mr. Thorne’s amendment was lost.

Mr. Askew’s amendment was lost.

Bill passed its third reading, ayes 30, noes 19, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Dortch, Ferguson, Graham, Heilig, Holt, Justice, Latham, Liles, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Williams and Young—30.

*Negative*—Messrs. Albright, Bryant, Cunningham, Dockery, Dunn, Finger, Folk, Green, Hughes, Johnston, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Robinson, Thorne, Wilson, Wynne and York—19.

Mr. Crawford moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table. The latter motion prevailed.

Mr. Cunningham submitted a report from the Committee on State Debt, which was placed on the Calendar.

Message from House of Representatives:

H. B. 366, bill to establish a boundary line between the counties of Hyde and Tyrrell, which was referred to Committee on Propositions and Grievances;

Announcing the concurrence in Senate amendments to H. B. 647, S. B. 558, bill to establish a Board of Audit and Finance in the city of Wilmington, also,

Senate amendments to H. B. 322, S. B. 355, bill to lay off a public road in the counties of Davidson and Davie, and to establish a ferry across the Yadkin river.

Message from the House of Representatives announcing the following gentlemen as the House Branch of the Joint Committee on the Atlantic and North Carolina Railroad: Messrs. Richardson, Graves and McGehee, and that the House had concurred in the Senate amendments to House amendments to S. B. 408, bill to establish County Government; also transmitting

H. B. 629, S. B. 759, bill to enable the Board of County Commissioners of Henderson county to apply the surplus of money in the treasury of Henderson county. Referred to Committee on Finance;

H. B. 559, S. B. 758, bill to allow the citizens of Caldwell and Watauga counties to pass through the toll gates of the Caldwell and Watauga Turnpike Road. Referred to Committee on Propositions and Grievances;

H. B. 560, S. B. 757, bill to authorize the Commissioners of Cherokee to levy a special tax. Referred to Committee on Finance;

H. B. 578, S. B. 756, bill in relation to the Roanoke and Tar River Agricultural Society. Referred to Committee on Agriculture, Mechanics and Mining;

H. B. 564, S. B. 755, bill to repeal so much of an Act providing for additional terms of Superior Court of Northamp-

ton and Halifax counties as applies to Halifax county. Referred to Committee on Judiciary ;

H. B. 587, S. B. 754, bill to confer upon the Mayor of Charlotte, Raleigh and the town of Excelsior, in Burke county, criminal jurisdiction. Referred to Committee on Judiciary ;

H. B. 705, S. B. 753, bill to provide for the comfort of jurors in certain cases. Referred to the Judiciary Committee .

H. R. 115, S. R. 752, resolution in favor of W. J. Gaither. Referred to Committee on Claims ;

H. B. 639, S. B. 751, bill to amend the charter of the town of Murfreesboro. Referred to Committee on Corporations ;

H. B. 624, S. B. 750, bill to incorporate Mount Mourne Lodge, No. 347, F. A. M., in Iredell county. Referred to Committee on Corporations.

Mr. Robinson moved that when the Senate adjourned it do so to meet to-night at 7½ o'clock, which prevailed.

S. B. 668, bill to establish a Department of Agriculture, Immigration and Statistics, &c., on second reading.

Pending consideration

Mr. Liles moved to adjourn. Adopted.

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EVENING SESSION.

SENATE CHAMBER, Feb. 27th, 1877.

Senate met.

Lieut. Governor Jarvis in the Chair.

The unfinished business of this morning was taken up,



being S. B. 668, bill to establish a Department of Agriculture, &c., on second reading.

Mr. Bennett moved to amend: Insert after "chairman," in line 6, section 1, "Lieutenant-Governor, Secretary of State."

Mr. Scales offered a substitute for the amendment of Mr. Bennett: Add after "chairman" the words, "and two agriculturists who shall be appointed by the Board so as to keep the representation of the different sections of the State as nearly equal as may be."

Mr. Stewart offered an amendment to the substitute by inserting "Lieutenant-Governor" before "two agriculturists." Adopted.

Mr. Scales' substitute, as amended, was adopted.

Mr. Troy moved to amend: Add in section 8, line 7, after the word "quality," the following: "But any manufacturer or non-resident dealer, who shall pay said tax, shall be authorized to sell the particular brand upon which the tax was paid through as many agents as he may desire, subject to all other requirements of this act." Lost.

Mr. Troy moved to amend: Add to section 20, "and the Register of Deeds shall, on the first day of February, May, August and November, transmit an abstract statement to the Committee of Agriculture the quantity of Guano and by whom sold, as provided in sections 20 and 21 of this act, for the preceding quarter, and shall also report the name of any known dealer in fertilizers who shall fail to report his sales as herein provided." Lost.

Mr. Johnston moved to amend: Strike out all of section 23 after the words "out of," in line 9, and insert: "The moneys appropriated by section 16, chapter 2, of Battle's Revisal, for a Geological Survey of the State for the next two years, and that during that period said section 16, chapter 2, of Battle's Revisal, be suspended."

Mr. Troy moved to amend the amendment: Strike out all after "State," and insert the following: "After the year

1877, and after that time section 16, chapter 2. of Battle's Revisal, be and is hereby suspended." Lost.

Mr. Latham moved to amend: Strike out all of section 23 after the word "agriculture," in the senenth line. Lost.

The question recurred upon the amendment of Mr. Johnston, upon which Mr. York called the ayes and noes, which were ordered, and the amendment was lost, ayes 14, noes 29, as follows:

*Affirmative*—Messrs. Bingham, Caho, Coke, Ferguson, Green, Hughes, Johnston, Justice, Latham, Mabson, Robinson, Standford, Stewart and York—14.

*Negative*—Messrs. Albright, Askew, Bennett, Bryant, Crawford, Cunningham, Dortch, Dockery, Dunn, Finger, Graham, Heilig, Holt, Liles, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Stickney, Short, Thorne, Troy Waddell and Wilson—27.

Mr. Graham demanded the previous question, which was sustained.

Mr. Latham called the ayes and noes on the passage of the bill, on its third reading, which were ordered, and the bill passed, ayes 29, noes 12, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bryant, Coke, Crawford, Cunningham, Dortch, Dockery, Finger, Graham, Heilig, Holt, Justice, Liles, Mebane of Rockingham, Moore of Mecklenburg, Robins Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy Waddell and Wilson—29.

*Negative*—Messrs. Bingham, Caho, Dunn, Ferguson, Green, Hughes, Johnston, Latham, Mabson, Nicholson, Robinson and York—12.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State:

S. B. 563, H. B. 621, an Act to create a township in the the county of Pamlico, to be known as township, No. 5;



H. B. 540, S. B. 716, an Act to create a new township in the county of Columbus ;

H. B. 512, S. B. 705, an Act to allow the Commissioners of Onslow county to levy a special tax ;

S. B. 320, H. B. 617, an Act to authorize the Dan River Navigation Company to employ convicts ;

S. B. 303, H. B. 659, an Act to establish Castalia township, in Nash county ;

H. B. 516, S. B. 653, an Act to repeal chapter 52, Private Laws of 1874-'75 ;

S. B. 548, H. B. 650, an Act to authorize the Commissioners of Alleghany county to levy a special tax ;

H. B. 452, S. B. 719, an Act to authorize the Commissioners of Chatham county to levy a special tax ;

B. B. 192, S. B. 202. an Act to incorporate Albemarle Lodge, No. 74, I. O. O. F., Hertford, North Carolina ;

S. B. 499, H. B. 504, an Act to incorporate the town of Burnt Chimney, in the county of Rutherford ;

S. B. 469, H. B. 613 an Act to authorize the Commissioners of Wayne to appoint a Finance Committee ;

S. R. 315, H. R. 156, resolution in favor of W. F. Wasson, former Sheriff of Iredell county ;

H. B. 423, S. B. 692, an Act to extend the corporate limits of the town of Salisbury, and to amend the charter of said town ;

S. B. 546, H. B. 654, an Act to incorporate Hickory Lodge, No. 343, F. A. A. M., in Catawba county ;

S. B. 367, H. B. 535, an Act concerning the town of Goldsboro ;

S. B. 473, H. B. 620, an Act to create a township in the county of Wayne, to be known as Stony Creek township ;

S. B. 390, H. B. 478, an Act to amend an Act to incorporate the town of Hickory, in Catawba county, ratified December 18th, 1873 ;

S. B. 197, H. B. 294, an Act to repeal chapter 39, of Battle's Revisal, and chapter 112, of Acts of 1874-'75, ratified



March 1st, 1875, and to re-enact chapter 40, of the Revised Code, as amended by chapter 164, Acts of 1868-'69, ratified April 1st, 1869 ;

S. B. 132, H. B. 448, an Act to incorporate Alligator Lodge, No 78, I. O. O. F., of North Carolina;

S. B. 468, H. B. 434, an Act to establish County Government.

Message from the House of Representatives transmitting without engrossment.

H. R. —, S. R. 760, resolution in favor of W. H. Gentry, Sheriff of Stokes.

On motion of Mr. Wilson, the rules were suspended and the resolution passed its second and third reading.

Also announcing that the House had concurred in Senate amendments to H. B. 586, S. B. 648, bill to amend chapter 218, Acts of 1870-'71.

Mr. Johnston introduced S. B. 761, bill supplementary to and explanatory of an act to provide for the speedy completion of the Western North Carolina Railroad. Referred to Committee on Internal Improvements.

Leave of absence was granted to Mr. Wynne for to-night.

Mr. Scales moved to reconsider the vote by which S. B. 668, bill to establish a Department of Agriculture, passed its third reading and moved to lay that motion on the table, which prevailed.

On motion of Mr. Standford, the Senate adjourned.

## SEVENTY-SECOND DAY.

SENATE CHAMBER, Feb. 28th, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

The reading of the Journal was dispensed with.

## PETITIONS

By Mr. Bennett: Petition from citizens of Brunswick county. Referred to Committee on Propositions and Grievances.

By Mr. Coke: Petition from citizens of Pasquotank. Referred to Committee on Propositions and Grievances.

By Mr. Hughes: Petition from citizens of Oxford. Referred to Committee on Propositions and Grievances.

By Mr. Coke: Eleven petitions from Hertford county. Referred to Committee on Finance.

Reports from Standing Committees were submitted as follows:

From Committee on Corporations:

By Mr. Sandifer: H. B. 202, S. B. 706, bill to incorporate the town of Sparta, in Edgecombe county, recommending an amendment and as amended that it do pass.

From Committee on Finance:

By Mr. Graham: H. B. 560, S. B. 757, bill to the authorize the Commissioners of Cherokee county to levy a special tax, recommending it do pass.

From the Committee on Claims:

By Mr. Finger: H. R. 80, S. R. 354, resolution in favor of Thomas J. Austin, recommending it do not pass.

From Committee on Engrossed Bills:

By Mr. York, as correctly engrossed: S. B. 668, a bill to

establish a Department of Agriculture, Immigration and Statistics, and for the encouragement of sheep husbandry;

S. B. 407, bill to amend section 2, of Article VI. of the Constitution of North Carolina ;

S. B. 684, bill in relation to Geological Survey.

The following named bills and resolutions were introduced, read and passed the first time, and were referred, or otherwise disposed of, as follows :

By Mr. Waddell : S. R. 762, resolution in favor of H. L. Watson, tax collector of Johnson county. Referred to Committee on Finance.

By Mr. Coke : S. B. 763, bill to afford relief to the sureties of Isaac Pipkin. Referred to Committee on Propositions and Grievances.

The following named bills and resolutions were acted upon, as follows :

S. B. 712, bill to incorporate the Moravian Academy, in Wilkes county, on second reading. Bill passed its second and third readings.

S. B. 723, bill to regulate the terms of the several Superior Courts of the several Judicial Districts, on second reading. Bill passed its second and third readings.

Leave of absence was granted to Mr. Albright after to-day for the balance of the week.

H. B. 513, S. B. 689, bill to prevent live stock from running at large in the counties of Rowan, Cabarrus and portion of Iredell, on second reading and passed, ayes 36, noes 2, as follows :

*Affirmative*—Messrs. Albright, Bennett, Bingham, Boddie, Coke, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mercer, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, York and Young—36.

*Negative*—Messrs. Askew and Hughes—2.

Mr. Standford submitted a report from the Joint Com-



mittee to visit Goldsboro and other places for the purpose of locating an asylum for the colored insane of the State.

On motion, it was transmitted to the House of Representatives with a preposition to print.

S. B. 658, bill to incorporate the town of Youngsville, on second reading. Bill passed its second and third readings.

S. R. 701, resolution in favor of J. T. Hunter, sheriff of Alamance. Substitute of Committee was not adopted.

Mr. Graham called for the ayes and noes on the passage of the bill on its second reading, which were ordered, and the bill passed, ayes 21, noes 20, as follows:

*Affirmative*—Messrs. Albright, Askew, Bryant, Crawford, Dortch, Dunn, Heillg, Holt, Hughes, Johnston, Mabson, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Scales, Stewart, Thorne, Troy and Wilson—21.

*Negative*—Messrs. Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Ferguson, Finger, Folk, Graham, Latham, Mebane of Bertie, Moore of Mecklenburg, Robinson, Standford, Stickney, Short, Waddell, York and Young—20.

S. B. 683, bill to make uniform the taxation on all banks in North Carolina, on its second reading and passed.

The bill was put on its third reading.

Mr. Dortch called the ayes and noes, upon the third reading of the bill which were ordered and the bill failed to pass its third reading, ayes 14, noes 23, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Graham, Holt, Johnston, Latham, Mercer, Stickney, Short, Troy, Waddell and Williams—14.

*Negative*—Messrs. Albright, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Green, Heilig, Hughes, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stewart, Thorne, Wilson, York and Young—23.

H. B. 158, S. B. 572, bill to repeal section 4, chapter 136, of Laws of 1874-'75, giving the county of Pendr a member of the General Assembly, on its second reading.

On motion of Mr. Troy, it was postponed until Monday 5th inst, at 11 o'clock A. M., and made the special order for that hour.

Senate amendments to H. R. 106, S. R. 527, resolution authorizing the Engrossing Clerk of the House to employ one assistant.

Mr. Dortch moved that the Senate recede from its amendment to the resolution.

Upon which Mr. Troy called for the ayes and noes, which were ordered.

The motion to recede prevailed, ayes 23, noes 19, as follows :

*Affirmative*—Messrs. Caho, Coke, Crawford, Dortch, Dockery, Dunn, Ferguson, Folk, Heilig, Holt, Hughes, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Scales, Standford, Thorne, Williams and Wilson—23.

*Negative*—Messrs. Albright, Askew, Bingham, Boddie, Cunningham, Finger, Graham, Johnston, Justice, Latham, Mercer, Robins, Sandifer, Stewart, Short, Troy, Waddell and York—19.

The bill was then ordered enrolled for ratification.

S. B. 327, bill to regulate the sale of live stock in the city of Wilmington, on its second reading.

On motion of Mr. Short it was indefinitely postponed.

S. B. 623. Bill to establish a new county to be called Vance, on its second reading.

On motion of Mr. Bingham, it was indefinitely postponed.

S. B. 678, bill to change the boundaries of the town of Elizabeth City, passed its second and third readings.

S. B. 620, bill to enlarge the powers of the corporate authorities of the town of Monroe, in the county of Union, on the second reading.

On motion of Mr. Sandifer, it was indefinitely postponed.

H. B. 213, S. B. 276, bill to require the Secretary of State



to perfect grants for lands in certain counties and to provide that Register of Deeds may do so in certain cases, was taken up on a motion to reconsider the vote by which it passed its third reading.

The motion to reconsider did not prevail.

By consent, Mr. Short introduced S. B. 764, bill to provide for the colored insane of North Carolina and to amend an act for the same purpose, passed at the last session of the General Assembly. Referred to the Joint Committee on Insane Asylum.

H. B. 482, S. B. 685, bill declaring Tranter's creek a lawful fence, passed its second reading.

S. B. 720, bill to change the names of certain townships, in the county of Pender, passed its second and third readings.

H. B. 404, S. B. 671, bill to change the line between the counties of Ashe and Wilkes, passed its second and third readings.

S. B. 715, bill to incorporate Cumberland Lodge, No. 5, Knights of Pythias, in the town of Fayetteville, passed its second and third readings.

Hon. W. B. Rodman, Associate Justice of the Supreme Court, was invited to a seat on the floor of the Senate.

Mr. Scales moved to reconsider the vote by which S. B. 683, bill to make uniform the taxation on all banks in North Carolina, failed to pass its third reading.

Mr. Dortch moved to lay the motion to reconsider upon the table, upon which Mr. Robins called for the ayes and noes.

Mr. Graham demanded the previous question, upon the motion to reconsider, which was sustained.

The motion to reconsider prevailed, ayes 19, noes 16, as follows:

*Affirmative*—Messrs. Askew, Bingham, Coke, Green, Graham, Holt, Johnston, Mebane of Bertie, Mercer, Moore of



Mecklenburg, Nicholson, Sandifer, Scales, Standford, Stickney, Short, Troy, Waddell and Williams—19.

*Negative*—Messrs. Boddie, Caho, Cunningham, Dortch, Dockery, Dunn, Ferguson, Finger, Justice, Latham, Robins, Roberts, Stewart, Thorne, Wilson and York—16.

Question recurred upon the passage of the bill upon its third reading.

Upon which Mr. Dortch called for the ayes and noes, which were ordered and the bill passed, ayes 18, noes, 17, as follows:

*Affirmative*—Messrs. Askew, Crawford, Dockery, Dunn, Green, Graham, Holt, Johnston, Mabson, Mebane, of Bertie, Mercer, Moore, of Mecklenburg, Scales, Standford, Short, Thorne, Troy and Waddell—18.

*Negative*—Messrs. Boddie, Caho, Cunningham, Dortch, Ferguson, Finger, Heilig, Justice, Latham, Nicholson, Robins, Roberts, Sandifer, Stickney, Stewart, Wilson and York—17.

By consent, Mr. Finger, from the Committee on Claims, reported S. R. 737, resolution in favor of R. L. Ireland, Louis Goodwyn, Franklin Gattle and W. Simpson, of Pamlico county, without recommendation, asking to be discharged from the further consideration.

S. B. 472, bill to establish normal schools, on its second reading.

The substitute offered for section 1 of the bill by Mr. Nicholson was lost.

Substitute offered for the second section by Mr. Troy was lost.

Question recurred on passage of the bill on its second reading.

Mr. Troy called the ayes and noes, which were ordered, and the bill passed its second reading, ayes 24, nays 17, as follows.

*Affirmative*—Messrs. Bryant, Caho, Coke, Crawford, Dortch, Dockery, Finger, Green, Graham, Heilig, Johnston, Mab-

son, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Robinson, Scales, Stickney, Short, Thorne, Trov, Wilson, Wynne and Young—24.

*Negative*—Messrs. Askew, Bingham, Boddie, Cunningham, Ferguson, Justice, Latham, Liles, Mercer, Nicholson, Robins, Roberts, Sandifer, Standford, Stewart, Waddell and York—17.

Bill was then read the third time and passed.

By consent, Mr. Robinson introduced S. B. 765, bill to prohibit the sale of intoxicating liquors, or bitters, within two miles of Franklin, Macon county. Referred to the Committee on Propositions and Grievances.

Message from the House of Representatives:

H. B. 369, S. B. 776, bill to locate the county site of Pender county. Referred to the Committee on Propositions and Grievances;

Without engrossment, H. B. 694, S. B. 767, bill to charter the Piedmont Narrow Gauge Railroad Company.—Referred to the Committee on Internal Improvements;

Without engrossment, H. B. 667, S. B. 773, bill to incorporate the town Contentnea, in the county of Greene. Referred to Committee on Corporations;

H. B. 596, S. B. 768, bill to raise revenue, known as the Revenue Act. Referred to the Committee on Finance;

H. B. 734, S. B. 769, bill to provide for the publication and sale of the Supreme Court Reports. Referred to the Committee on Judiciary;

H. B. 687, S. B. 770, bill to amend the charter of the town of Lincolnton. Referred to the Committee on Corporations;

H. B. 733, S. B. 771, bill to amend chapter 83, Battle's Reviels. Referred to Committee on Judiciary;

Also announcing the appointment, of House branch of Joint Committee on Adjournment, Messrs. King, Ransom, Henderson, Richardson and Wilson of New Hanover; and as the House branch of the Committee of Conference on H. B. 320, S. B. 429, bill to amend chapter, 201, Laws of 1874—



'75, Messrs. Henderson, McBrayer, Moring, Rush and Bledsoe;

Also proposing to go into an election of 8 trustees of the University on Friday next, 1st instant, at 12 M.

Mr. Finger moved to concur in the proposition with the following amendment thereto :

"Also an election to fill any vacancy in the Board of Trustees which may exist," which prevailed.

H. R. 179, S. R. 772, resolution in relation to the Atlantic and North Carolina Railroad Company.

On motion of Mr. Robins, the rules were suspended and the resolution passed its second and third readings.

H. B. 493, S. B. 670, bill to amend chapter 262, of the Laws, of 1870-'71, concerning the removal of the obstructions to the passage of shad up the Pedee, Uwharrie, Yadkin and other rivers, on its second reading.

On motion it was referred to the Committee on Judiciary.

By consent, Mr. Nicholson introduced S. B. 774, bill to dispose of the question of the State debt. Placed upon the Calendar.

H. B. 599, S. B. 675, bill to enforce collection of unpaid taxes in the county of New Hanover, on its second reading.

Amendments reported by the Committee on Finance were adopted.

Mr. Moore of New Hanover, moved to refer the bill to the Committee on Judiciary. Lost.

Bill passed its second reading, and was put upon its third reading.

Mr. Moore of New Hanover, called for the ayes and noes, which were ordered, and the bill past its third reading, ayes, 30, nays 6, as follows :

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Heilig, Holt, Johnston Justice, Latham, Liles,



Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney Troy, Waddell, Wilson and York—30.

*Negative*—Messrs. Bryant, Green, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—6.

S. B. 564, bill to incorporate Stonewall Lodge, No. 3, Independent Order of Mechanics, in Pamlico county, on second reading.

On motion of Mr. Caho, it was indefinitely postponed.

S. R. 641, resolution in favor of W. H. Sykes, on second reading.

Substitute reported by the Committee on Finance was adopted.

Resolution then passed its second and third readings.

On motion of Mr. Troy, it was sent to the House of Representatives without engrossment.

S. B. 667, bill for the relief of public road hands, on second reading.

On motion of Mr. Robinson, it was indefinitely postponed.

S. B. 600, bill to incorporate Oak Hill Academy, in Pender county, passed its second and third readings.

H. B. 458, S. B. 594, bill to remove obstructions from and to provide for the passage and propagation of fish in the Catawba and Yadkin rivers, on second reading.

The amendment reported by the Committee on Judiciary was adopted.

Bill then passed its second reading and was put upon its third reading.

Mr. Finger moved to amend: Insert after the word "purpose," in section 1, the words "unless such obstructions shall leave 100 feet open in the main channel." Adopted.

Bill then passed its third reading.

S. B. 709, bill to provide for the removal of the county seat of Johnson county, was, on motion of Mr. Waddell, taken up on its second reading, and on motion it was re-

committed to the Committee on Propositions and Grievances.

S. B. 396, bill for the protection of cotton yards in the city of Raleigh, passed its second and third readings.

Message from the House of Representatives :

H. B. 743, S. B. 775, bill to establish a Normal Department at Shaw University for the education of colored teachers. Referred to Committee on Education.

On motion of Mr. Caho, the Senate adjourned.

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EVENING SESSION.

SENATE CHAMBER, Feb. 28th, 1877.

Senate met.

Lieut. Governor Jarvis in the Chair.

CALENDAR

H. B. 567, S. B. 691, bill to incorporate the Polk County Narrow Gauge Railroad, on second reading. Amendments of the Committee were adopted.

Bill passed its second reading, ayes 34, noes 0, as follows :

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Moore of New Hanover, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson, York and Young—34.

*Negative*—None.

H. B. 582, S. B. 707, bill to change the county lines be-

tween the counties of Watauga, Wilkes and Ashe, on second reading. Bill passed its second and third readings.

S. B. 694, bill to change the time of holding the municipal elections of the town of Elizabeth City, on second reading. Bill passed its second and third readings.

H. B. 357, S. B. 719, bill to lay out and construct a public road from Phineas Horton's store, in Wilkes county, to Deep Gap, in the Blue Ridge, on second reading.

Mr. Bingham moved to amend:

*"Provided, That each county shall be required to make that portion of said road which passes through its county."*  
Lost.

Mr. Bingham moved to indefinitely postpone.

Mr. York moved to lay the bill on the table. Prevailed.

S. B. 632, bill to give proper publicity to legal notices required to be advertised, on second reading.

Substitute of the Committee was adopted.

Mr. Stewart moved to amend: Strike out "\$100," and insert "\$300."

Mr. Sandifer moved to amend the amendment: Strike out "\$300" and insert "\$500."

Mr. Sandifer's amendment was lost.

Mr. Stewart's amendment was accepted.

Mr. Robins called the ayes and noes on the passage of the bill, which were ordered.

Bill failed to pass its second reading, ayes 15, noes 24, as follows:

*Affirmative*—Messrs. Bennett, Coke, Graham, Heilig, Holt, Liles, Moore of Mecklenburg, Scales, Standford, Stickney, Short, Troy, Williams and Wilson—15.

*Negative*—Messrs. Askew, Bingham, Boddie, Crawford, Cunningham, Dortch, Ferguson, Finger, Hughes, Johnston, Justice, Latham, Mebane of Bertie, Moore of New Hanover,



Nicholson, Robins, Robinson, Roberts, Sandifer, Stewart, Thorne, Waddell, Wynne and York—24.

The following bills and resolutions, reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State :

H. R. —, S. R. 760, resolution in favor of W. H. Gentry, sheriff of Stokes county ;

S. B. 597, H. B. 660, an Act to establish a new township in the county of Rockingham, to be styled Madison township ;

S. B. 598, H. B. 661, an Act to establish an additional township in the county of Rockingham out of portions of Huntsville and Simpsonville townships, to be called New Bethel ;

H. B. 322, S. B. 355, an Act to amend an Act entitled An Act to lay off and establish a public road in the counties of Davidson and Davie, and establish a ferry across the Yadkin river .

S. R. 731, H. R. 180, resolution in favor of the widow of John G. Marler ;

H. B. 319, S. B. 417, an Act to amend the charter of the Georgia and North Carolina Railroad Company, laws of 1870-'71, chapter 167 ;

H. B. 586, S. B. 648, an Act to amend chapter 218, acts of 1870-'71, entitled an Act to incorporate the Mount Airy and Central Railroad Company ;

H. B. 558, S. B. 647, an Act to establish a Board of Audit and Finance for the city of Wilmington.

S. B. 700, bill to amend the charter of the town of Edenton, on second reading. Bill passed its second and third readings.

S. B. 622, bill for the better protection of sheep husbandry, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

S. B. 492, bill to amend section 4, chapter 100, of Battle's Revisal, on second reading.

Amendments of the Committee were adopted.

Bill passed its second and third readings.

S. B. 536, bill to prevent the hauling of seines and drag nets in the waters of Upper Broad Creek, on second reading.

Amendments of the Committee were adopted.

Mr. Sandifer moved to amend: Strike out "one month," and insert "30 days." Adopted.

Bill passed its second and third readings.

S. B. 713, bill to amend chapter 37, Battle's Revisal, in relation to divorce, on second reading.

On motion of Mr. York, it was indefinitely postponed.

S. B. 711, bill to incorporate the Suffolk and Albemarle Sound Railway Company, on second reading. Bill passed its second and third readings.

S. B. 694, bill to create and establish Gray's Creek township, in Cumberland county, on second reading. Bill passed its second and third readings.

S. B. 616, bill to incorporate the town of Enochsville, in Rowan county, on second reading.

Amendments of Committee were adopted.

Bill passed its second and third readings.

Engrossed House amendments to S. B. 458, H. B. 570, bill to provide for an Inferior Court in the several counties of the State, was taken up.

Amendment No. 1, as proposed by the House, was concurred in with the following amendments thereto: Add the words "to be styled the Inferior Courts."

Amendments numbers 2, 3, 4, 5, 6, 7, 8, 9 and 10 were concurred in.

Amendment number 11 was disagreed to.

Amendment number 12 was concurred in with the following amendment thereto: Insert after the word "joined," in the first line, the words "upon trial of petit misdemeanors."

All other House amendments were agreed to.

Mr. Mebane of Rockingham, moved to reconsider the

vote by which the Senate disagreed to the House amendment number 11, and demanded the previous question upon the motion to reconsider, which was sustained.

Mr. Moore of New Hanover, called for the ayes and noes upon the motion to reconsider, which were ordered, and the motion to reconsider was lost, ayes 12, noes 26, as follows :

*Affirmative*—Messrs. Askew, Bennett, Coke, Dortch, Liles, Mebane of Rockingham, Nicholson, Roberts, Standford, Stickney, Short and Waddell—12.

*Negative*—Messrs. Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Justice, Latham, Mabson, Mebane of Bertie, Moore of New Hanover, Rebins, Sandifer, Scales, Stewart, Thorne, Troy, Wilson, Wynne and York—26.

Mr. Stickney moved to reconsider the vote by which S. B. 622, bill for the better protection of sheep husbandry was indefinitely postponed.

Mr. Troy moved to lay the motion upon the table. Lost. The motion to reconsider prevailed.

The question recurring upon the motion to indefinitely postpone, by consent, Mr. Latham withdrew the motion.

On motion of Mr. Stickney, the bill was referred to the Committee on Agriculture, Mechanics and Mining.

Mr. York moved to reconsider the vote by which H. B. 458, S. B. 594, bill to remove obstructions from and to provide for the passage and propagation of fish in the Catawba, Yadkin and other rivers passed its third reading to-day.

On motion of Mr. Scales, the Senate adjourned.



## SEVENTY-THIRD DAY.

SENATE CHAMBER, March 1st, 1877.

Senate met pursuant to adjournment.

Lient. Governor Jarvis in the Chair.

The reading of the Journal was dispensed with.

## PETITIONS

By Mr. Moore of New Hanover: Petitions from citizens of Abbot sburg. relating to appointments of Magistrates. Referred to Committee on County Government.

By Mr. Sandifer: Petition from citizens of Pender county. Placed on the table

Reports from Standing Committees were submitted as follows:

From Committee on Propositions and Grievances:

S. B. 608, bill to prohibit the sale of spirituous liquors in two miles of the Orphan Asylum, in Granville county, a majority of the Committee recommending it do not pass.

By Mr. Justice: H. B. 369, S. B. 766, bill to locate a permanent seat of justice in Pender county, recommending it do pass.

By Mr. Caho: S. B. 746, bill to prohibit the sale of spirituous liquors in two and a half miles of Pine Forest Church, Columbus county, recommending it do not pass.

From Committee on Penal Institutions:

By Mr. Troy: S. B. 634, bill in relation to State Penitentiary, recommending it do pass.

From Committee on Judiciary:

By Mr. Coke: H. B. 473, S. B. 676, bill to amend section 3, chapter 24, laws of 1874-'75, recommending it do pass;

S. B. 640, bill to provide for election of Constables, recommending it do not pass.

By Mr. Robins: S. B. 698, bill to amend section 3, chapter 65, of Battle's Revisal, recommending it do not pass;

S. B. 748, bill to provide for the holding the May term of Pitt Superior Court, recommending it do pass;

H. B. 363, S. B. 743, bill to repeal sections 51, 52 and 53, of chapter 63, of Battle's Revisal, recommending it do pass.

By Mr. Bingham: H. B. 583, S. B. 754, bill to confer upon the Mayors of the cities of Charlotte and Raleigh, and town of Excelsior, in Burke county, criminal jurisdiction, recommending it do pass.

By Mr. Scales: S. B. 727, bill to amend section 74, of the Code of Civil Procedure, and in other particulars, recommending an amendment, and as amended that it do pass.

By Mr. Bingham: H. B. 734, S. B. 769, bill for the publication and sale of the Supreme Court reports, recommending it do pass.

From Committee on Finance.

By Mr. Graham: H. B. 596, S. B. 778, bill to raise revenue, known as Revenue Act, recommending amendments and as amended that the bill do pass.

By Mr. Ferguson: H. B. 629, S. B. 759 bill to enable the Board of County Commissioners of Henderson county to apply the surplus of money in the treasury of Henderson county, recommending it do pass.

From Committee on Internal Improvements:

By Mr. Johnston: S. B. 761, bill supplemental to an act to provide for the speedy completion of the Western North Carolina Railroad, recommending a substitute and that it do pass.

From Committee on Agriculture, Mechanics and Mining:

By Mr. Stickney: H. B. 588, S. B. 756, bill in relation to the Roanoke and Tar River Agricultural Society, recommending it do pass.

From Committee on Judiciary :

By Mr. Wilson: H. B. 705, S. B. 853, bill to provide for the comfort of jurors in certain cases, recommending it do pass;

H. B. 632, S. B. 688, bill concerning entries of the public land in Bladen county, recommending it do pass.

By Mr. Stewart: H. B. 564, S. B. 755, bill to repeal so much of Act providing for additional terms of Superior Courts of Northampton and Halifax counties as applies to Halifax county, recommending it do pass ;

S. B. 747, bill to amend chapter 1, of acts of 1875, recommending it do pass

From Joint Committee on Agriculture :

By Mr. Troy : S. B. 788, bill to provide for fish culture and regulate the catching of fish. Placed on the Calendar.

From the Committee on Engrossed Bills:

By Mr. York, as correctly engrossed: Senate amendments to H. B. 599, S. B. 675, a bill to enforce collections of unpaid taxes in New Hanover county;

S. B. 600, a bill to incorporate Oak Hill Academy, in Pender county;

S. B. 683, a bill to make uniform the taxation on all banks in North Carolina ;

S. B. 705, a bill to incorporate Cumberland Lodge, No. 5, Knights of Pythias, in the town of Fayetteville ;

S. B. 644, a bill to change the time of holding the municipal elections of the town of Elizabeth City ;

S. B. 616, a bill to incorporate the town of Enochsville, Rowan county;

S. B. 720, a bill to change the names of certain townships of the county of Pender ;

S. B. 722, a bill to regulate the terms of the several Superior Courts of the 7th Judicial District ;

S. B. 658, a bill to incorporate the town of Yanceyville ;

S. B. 472, a bill to establish normal schools ;



S. B. 696, a bill for the protection of cotton yards in the city of Raleigh ;

S. B. 712, a bill to incorporate Moravian Falls Academy, in Wilkes county ;

S. B. 678, a bill to change the boundaries of the town of Elizabeth City ;

S. B. 700, a bill to amend the charter of the town of Edenton ;

S. B. 492, a bill to amend section 4, chapter 100, Battle's Revisal.

S. B. 536, a bill to prevent the hauling of seines and drag nets in Upper Broad Creek, in Pamlico and Craven counties ;

S. B. 694, a bill to create and establish Gray's Creek township, in the county of Cumberland ;

S. B. 711, a bill to incorporate the Suffolk and Albemarle Sound Railway Company.

The following bills and resolutions, reported as correctly enrolled, by Committee on Enrolled Bills, were duly ratified and transmitted to the office of Secretary of State :

S. R. 174, H. R. 772, resolution in relation to the Atlantic and North Carolina Railroad Company ;

S. R. 527, H. R. 106, resolution authorizing the Engrossing Clerk of the House to employ one assistant ;

S. B. 404, H. B. 671, an Act to change the line between Wilkes and Ashe counties ;

H. B. 482, S. B. 685, an Act declaring Tranter's Creek a lawful fence ;

S. B. 507, H. B. 572, an Act for the relief of Albert Murray, former Sheriff of Alamance county ;

S. B. 602, H. B. 680, an Act to authorize the Commissioners of Haywood county to ascertain the boundary line of certain vacant lands in the county of Haywood ;

S. B. 574, H. B. 649, an Act to authorize the County Commissioners of Lenoir county to levy a special tax, and for other purposes.

The following named bills and resolutions were acted upon as follows :

H. B. 511, S. B. 702, bill to regulate the manner of making election returns, on third reading.

Mr. Scales moved so amend section 1 by inserting after the word "commissioners," wherever it occurs in said section, the words "or Board of County Commissioners;" amend section 2, by inserting after "registered letter," "or by express;" amend section 3 by striking out all of said section down to and including the word, "the," in line 5, and insert "all returns for members of the House of Representatives of the United States Congress shall be made to the Secretary of State and the Governor shall in presence of the;" after the word "period" in section 3, add "and shall issue certificates of election to the person or persons duly elected;" amend section 6, after the word "send" insert "at the expenses of any such county." Strike out section 8. All of which were adopted.

Bill passed its third reading.

H. B. 513, S. B. 689, bill to prevent live stock from running at large in the counties of Rowan, Cabarrus and portions of Iredell, on third reading, and passed, ayes 29, nays 8, as follows :

*Affirmative*—Messrs. Bennett, Bingham, Boddie, Crawford, Cunningham, Dortch, Finger, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Short, Troy, Waddell, Williams, Wilson and York—29.

*Negative*—Messrs. Askew, Bryant, Green, Hughes, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—8.

The following named bills and resolutions were introduced, read and passed first time and were referred, or otherwise disposed of, as follows :



By Mr. Bennett: bill to amend Article X, of the Constitution of North Carolina. Placed on the Calendar.

By Mr. Holt: S. B. 778, bill to make Haw river a lawful fence. Placed on the Calendar.

By Mr. Standford: S. B. 779, bill to amend section 1, chapter 6, Private Laws of 1870-'71. Referred to Committee on Propositions and Grievances.

By Mr. Moore of Mecklenburg: S. B. 780, bill to amend the charter of the town of Charlotte. Placed on the Calendar.

Leave of absence was granted for to-day to Messrs. Robins and Dunn.

The unfinished business was taken up, it being H. B. 458, S. B. 594, bill to remove obstructions from and to provide for the passage and propagation of fish in Catawba and Yadkin rivers.

The motion of Mr. York to reconsider the vote by which the bill passed its third reading prevailed.

Question recurred upon the passage of the bill on its third reading.

Mr. Liles moved to reconsider the amendment of Mr. Finger adopted on yesterday, which prevailed.

Mr. Liles moved to amend: "Unless such obstructions shall leave a free and open passage for fish of not more than 75 or less than 30 feet at any point, or in case it may be necessary to have more than one such passway in the same dam, then all openings not to exceed 100 feet and where there may be such obstructions on both sides of any island or shoal belonging to the same or different persons, then the opening of said dams or shoals, shall be as above prescribed in both channels." Adopted.

Mr. Finger moved to amend: "That at any time on application of five or more responsible citizens, the County Commissioners of any county, bounded by either of said rivers or through which they may run on either of them between the points named in section 1 of this act shall examine any dam in said rivers, and after written notice to



the trustees intrusted shall decide what would be a suitable fish way in said dam, the owner or owners of any dam shall construct such fish way as may be described and required by the County Commissioners; and on failure to comply with such requirement the said owner or owners shall be guilty of a misdemeanor and on conviction, shall be fined one hundred dollars per day for every day that said dam or obstruction is permitted to remain without such fish way,' which was adopted.

Mr. Finger moved to amend section 1, by striking out the words, "other than a dam for manufacturing purposes." Adopted.

Bill passed its third reading.

Reports from Committee on Judiciary.

By Mr. Scales: S. B. 449, bill to more effectually prevent discrimination in freights, recommending it do not pass.

On motion of Mr. Williams the rules were suspended and the bill read second time.

Mr. Williams offered a substitute. Adopted.

Mr. Williams demanded the previous question. Sustained.

The ayes and nays were ordered and the bill passed its second reading, ayes 24, noes 19, as follows:

*Affirmative*—Messrs. Askew, Bennett, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Green, Hughes, Justice, Liles, Mabson, Nicholson, Standford, Stewart, Thorne, Williams, Wynne and York—24.

*Negative*—Messrs. Bingham, Finger, Folk, Graham, Heilig, Holt, Johnston, Latham, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Robinson, Roberts, Sandifer, Scales, Stickney, Short and Wilson—19.

Bill was read third time.

Mr. Holt moved the bill be postponed until Wednesday at 8 o'clock and that it be printed, which prevailed.

By consent, Mr. Mabson introduced S. B. 781, bill to provide for the colored insane of the State. Referred to Committee on Insane Asylum;

S. B. 761, bill supplemental to an act for the speedy completion of the Western North Carolina Railroad, on second reading.

The substitute of committee was adopted.

Bill passed its second and third readings.

On Motion of Mr. Standford, H. B. 357, S. B. 719, bill to lay out and construct a public road from Phineas Horton's store in Wilkes county was taken from the table and placed on the Calendar.

From Committee on Corporations:

By Mr. Scales: S. B. 745, bill to create two new townships in Halifax county, recommending it do pass.

By consent, Mr. Stewart introduced S. B. 782, bill to amend section 5, chapter 138, laws of 1873-'74. Referred to Committee on Propositions and Grievances;

H. B. 567, S. B. 691, bill to incorporate the Polk County Narrow Gauge Railroad, on third reading, and passed, ayes 32, noes 1, as follows:

*Affirmative*—Messrs. Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Ferguson, Finger, Heilig, Hughes, Johnston, Justice, Latham, Mebane of Bertie, Mercer, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—32.

*Negative*—Mr. Moore of New Hanover.

S. B. 734, bill to incorporate the Dan River Coal and Mining Company, on second reading.

Bill passed its second and third readings.

H. B. 734, S. B. 769, bill for the printing and sale of the North Carolina Supreme Court Reports, on second reading.

Bill passed its second and third readings.

S. B. 730, bill to provide the means for the government

of the State penitentiary, on second reading.

Bill passed its second and third readings.

H. B. 357, S. B. 719, bill to lay out and construct a public road from Phineas Horton's store in Wilkes county, to the Deep Gap, on third reading.

Mr. Bingham moved to amend :

*“Provided That each county shall be required to make that portion of said road which passes through its county.”*  
Adopted.

Bill passed its third reading.

Mr. Sandifer moved to reconsider the vote by which S. B. 632, bill to give proper publicity to legal notices required to be advertised, failed to pass its second reading, which prevailed.

Question recurring upon the passage of the bill, on its second reading.

Mr. Sandifer moved to strike out “\$300” and insert “\$500.” Accepted.

Mr. Justice called the ayes and noes, which were ordered.

Bill passed its second reading, ayes 22, noes 19, as follows:

*Affirmative*—Messrs. Bennett, Boddie, Bryant, Coke, Crawford, Dockery, Graham, Heilig, Holt, Hughes, Liles, Moore of Mecklenburg, Sandifer, Scales, Standford, Stickney, Short, Thorne, Troy, Waddell, Williams and Wilson—22.

*Negative*—Messrs. Askew, Bingham, Caho, Cunningham, Dortch, Dunn, Finger Johnston, Justice, Latham, Mabson, Mebane of Bertie, Mercer, Moore of New Hanover, Nicholson, Roberts, Stewart, Wynne and York—19.

Mr. Thorne asked to be allowed to introduce a series of resolutions which were read.

On motion of Mr. Graham, the Senate refused to receive them



S. B. 736, bill to amend section 229, *a*, chapter 17, Battle's Revisal, on second reading.

Bill passed its second and third readings.

S. B. 727, bill to amend section 74, of the Code of Civil Procedure, amendments of committee were not adopted.

Bill passed its second and third readings.

S. B. 710, bill to prohibit the sale of intoxicating liquors within two miles of Rutherfordton, on second reading.

On motion of Mr. Justice, it was indefinitely postponed.

S. B. 234, bill to regulate the time of holding the Superior Courts of the ninth Judicial District, on second reading.

Mr. Justice moved to indefinitely postpone.

Mr. Graham moved to lay the bill on the table. Pre-  
vailed.

S. B. 643, bill to incorporate the Western Mining and Manufacturing Company, on second reading.

On motion of Mr. Robinson, it was laid on the table.

S. B. 669, bill to incorporate the North Carolina Student's Aid Association, on second reading.

Amendments of Committee were adopted.

Bill passed its second reading.

Bill was read third time.

Mr. Liles moved to amend by inserting the name of Rev. N. B. Cobb. Adopted.

Bill passed its third reading.

S. B. 569, bill authorizing the Judge of Probate to appoint receivers in certain cases, on second reading.

Substitute of the committee was adopted.

Bill passed its second reading.

Bill was read a third time.

Mr. Wilson moved to amend: "And no other person will accept said guardianship." Adopted.

Bill passed its third reading.

S. R. 627, resolution in favor of J. W. Poe, on second reading.

On motion it was indefinitely postponed.

S. B. 619, bill to amend the charter of the town of Scotland Neck in Halifax county, on second reading.

Amendments of the committee were adopted.

Bill passed its second reading and was read the third time.

On motion of Mr. Graham, it was laid on the table.

H. B. 369, S. B. 766, bill to locate a permanent seat of justice in Pender county, on second reading.

Mr. Holt moved to recommit, which was lost.

Mr. Graham moved to amend:

*“Provided, The said county of Pender shall pay to the owners of property in South Washington, any depreciation of property within the limits of said town caused by such removal.”*

Mr. Crawford demanded the previous question, which was sustained.

Mr. Graham's amendment was adopted, ayes 20, noes 15, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Bryant, Coke, Cunningham, Dockery, Ferguson, Finger, Graham, Holt, Johnston, Latham, Liles, Nicholson, Robinson, Sandifer, Stewart, Short and York—20

*Negative*—Messrs. Boddie, Caho, Crawford, Dortch, Green, Heilig, Hughes, Mabson, Moore of New Hanover, Roberts, Stickney, Thorne, Waddell, Wilson and Wynne—15.

Bill passed its second reading and was read third time.

Mr. Askew moved to indefinitely postpone. Lost.

Mr. Stewart demanded the ayes and noes, which were ordered.

Bill failed to pass its third reading, ayes 16, noes 20, as follows:

*Affirmative*—Messrs. Boddie, Caho, Crawford, Dortch,

Dockery, Finger, Green, Heilig, Hughes, Justice, Roberts, Scales, Stickney, Thorne, Wilson and Wynne—16.

*Negative*—Messrs. Askew, Bennett, Bingham, Bryant, Coke, Cunningham, Ferguson, Graham, Holt, Johnston, Latham, Liles, Mabson, Mercer, Nicholson, Robinson, Sandifer, Stewart, Troy and York—20.

Mr. Nicholson moved to reconsider the vote by which the bill failed to pass it third reading, and to lay that motion on the table.

The motion to table was lost.

The motion to reconsider was withdrawn.

S. B. 663, bill to incorporate Roanoke Lodge, No. 89, Independent Order of Odd Fellows, on second reading.

On motion it was laid on table

H. R. 80, S. R. 354, resolution in favor of Thos. J. Austin, on second reading.

On motion of Mr. Latham, it was indefinitely postponed.

H. B. 202, S. B. 706, bill to incorporate the town of Sparta, in Edgecombe county, on second reading.

Amendments of committee were adopted.

Bill passed its second and third readings.

S. R. 737, resolution in favor of R. L. Ireland and others in Pamlico county, on second reading.

On motion of Mr. Standford, it was referred to Committee on Claims with instructions to report a bill.

Mr. Crawford moved to adjourn. Lost.

S. B. 535, bill for the relief of the surities of T. F. Lee, on second reading.

Amendments of committee were adopted.

Bill passed its second and third readings.

S. B. 610, bill to amend chapter 235, Laws of 1869-'70, on second reading.

Substitute of Committee was adopted.

Bill passed its second and third readings.



H. B. 515, S. B. 741, bill to prohibit the exportation of partridges, on second reading.

Amendments of committee were adopted.

Mr. Liles moved to amend by adding, "Anson county." Adopted.

Bill passed its second and third readings.

S. B. 625, bill to amend chapter 83, Battle's Revisal, on second reading.

Bill passed its second and third readings.

On motion of Mr. Robinson, H. B. 498, S. B. 739, bill to authorize the construction of a Turnpike road from Haysville to Murphy, was taken up and referred to Committee on Corporations.

Message from the House of Representatives transmitting H. B. 218, S. B. 783, bill to secure to owners of real estate in the State, a homestead in fee simple. Referred to Judiciary Committee.

H. B. 576, S. B. 784, bill to provide for the support of North Carolina Institute for the Deaf, Dumb and Blind, for the years 1877-'78. Referred to the Committee on Deaf, Dumb and Blind Asylum.

H. B. 553, S. B. 785, bill to change the lines of Rock Swamp township. Referred to Committee on Propositions and Grievances.

H. B. 359, S. B. 786, bill for the better government of the town of Thomasville. Referred to the Committee on Corporations.

H. B. 696, S. B. 787, bill to protect the agricultural interest of Occomeechee Neck. Referred to Committee on Agriculture, Mechanics and Mining.

Engrossed House amendments to S. B. 403, H. B. 532, bill to incorporate the trustees of Littleton Academy, Pender county.

Amendments concurred in and the bill ordered enrolled for ratification.

Mr. Robinson was appointed to fill vacancy in committee on Deaf, Dumb and Blind Asylum, caused by the death of Senator Marler.

On motion of Mr. Short, the Senate adjourned.

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## SEVENTY-FOURTH DAY.

SENATE CHAMBER, March 2nd, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

Prayer by Rev. Mr. Norman.

The reading of the Journal was dispensed with.

### PETITIONS AND MEMORIALS.

By Mr. Standford. Petition from Neuse river township. Referred to Committee on Corporations.

Memorial protesting against passage of H. B. 369, S. B. 766, from Pender county.

By Mr. Askew: Petition of citizens of Polloksville township, Jones county. Referred to Committee on Propositions and Grievances.

By Mr. Coke: Petition of citizens of Roxabell township, Bertie county. Referred to Committee on Propositions and Grievances.

By Mr. Moore, of Mecklenburg: Petition from the Faculty of Biddle Institute. Referred to Committee on Education.

Reports from Standing Committees were submitted as follows:

o m Committee on Propositions and Grievances.

By Mr. Dortch: H. B. 580, S. B. 703, bill to secure better draining of the lowlands of the muddy fork of Lower Little River in Alexander county, recommending it do pass.

S. B. 709, bill to provide for the removal of the county seat of Johnston county, recommending a substitute and that it do pass.

By Mr. Justice: S. B. 763, bill to afford relief to the surties of Isaac Pipkin, late Sheriff of Hertford county, recommending amendments and as amended that the bill do pass.

By Mr. Heilig: S. B. 779, bill to amend section 1, chapter 6, private laws of 1870-'71, recommending it do pass.

By Mr. Calhoun: S. B. 682, bill to create a new county of parts of Sampson, Cumberland, Harnett, Johnston and Wayne, recommending it do not pass.

By Mr. Bingham: S. B. 765, bill to prohibit the sale of intoxicating liquors in Franklin, Macon county, recommending it do pass.

H. B. 559, S. B. 758, bill to allow the citizens of Caldwell and Watanga to pass through the toll gate on the Caldwell and Watanga Turnpike roads, &c., recommending it do pass.

From Committee on Corporations,

By Mr. Sandifer: S. B. 319, bill to incorporate the Farmers' Saving Bank of Ridgeway, recommending amendments and as amended that it do pass.

By Mr. Crawford: H. B. 667, S. B. 773, bill to incorporate the town of Contentnea in the county of Greene, recommending that it do pass.

By Mr. Thorne: H. B. 359, S. B. 789, bill for the better government of the town of Thomasville, recommending it do pass.

From the Committee on Engrossed bills, by Mr. York, as properly engrossed:



S. B. 535, a bill for the relief of the surities of T. F. Lee

S. B. 734, a bill to incorporate the Dan River Coal and Mining Company.

S. B. 610, a bill to amend chapter 235 laws of 1869-'70.

Senate amendments to H. B. 511, S. B. 702, a bill to regulate the manner of making election returns.

Senate amendments to H. B. 458, S. B. 594, a bill to remove obstructions from and provide for the passage of fish in the Catawba and Yadkin rivers.

S. B. 761, bill supplemental to and explanatory of the act to provide for the speedy completion of the Western N. O Railroad, passed the present session of the General Assembly.

S. B. 727, a bill to amend section 74 of the code of civil procedure and in other particulars.

S. B. 730, a bill to provide the means for the government for the State Penitentiary.

S. B. 42, a bill to amend the charter of the city of Charlotte.

S. B. 669, a bill to incorporate the North Carolina Student's Aid Association.

Senate amendments to H. B. 357, S. B. 719, a bill to lay out and construct a road from Pheneas Horton's store in Wilkes county to Deep Gap of the Blue Ridge.

Senate amendment to H. B. 515, S. B. 741, a bill to prohibit the exportation of partridges,

S. B. 625, a bill to amend chapter 83 Battle's Revisal.

S. B. 736, a bill to amend section 229, chapter 17, Battle's Revisal.

Senate amendment to H. B. 567, S. B. 691, a bill to incorporate the Polk County Narrow Gauge R. R.

S. B. 596, a bill to authorize the Judge of Probate to appoint receivers in certain cases.

Senate amendments to H. B. 202, S. B. 706, a bill to incorporate the town of Sparta, Edgecombe county.

The following named bills and resolutions were introduced, read and passed first time and referred, or otherwise disposed of as follows:

By Mr. Heilig: S. B. 789, bill to authorize the Commissioners of Cabarrus county to issue bonds to pay the county debt. Referred to the Committee on Finance.

By Mr. Coke: S. B. 790, bill for the relief of the surities of F. W. Bell. Referred to the Judiciary Committee

By Mr. Dortch: S. B. 791, bill to provide for the colored insane of the State and to locate the asylum for the same in the town of Goldsboro. Referred to the Committee on Insane Asylum.

The following named bills and resolutions were acted upon as follows:

S. B. 632, bill to give proper publicity to legal notices required to be advertised on third reading.

Mr. Robins called the ayes and noes, which were ordered, and the bill passed its third reading, ayes 17, noes 15, as follows:

*Affirmative*—Messrs. Askew, Bennett, Boddie, Caho, Coke, Heilig, Holt, Liles, Moore of Mecklenburg, Roberts, Sandifer, Scales, Standford, Stickney, Short, Troy and Waddell—17.

*Negative*—Messrs. Bingham, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Johnston, Justice, Mercer, Moore of New Hanover, Thorne, Wynne and York—15.

S. B. 175, bill to amend sections 75 and 76 of chapter 53, Battle's Revisal, on third reading, and lost, ayes 14, noes 27, as follows:

*Affirmative*—Messrs. Askew, Bingham, Caho, Coke, Crawford, Ferguson, Latham, Robinson, Standford, Stewart, Thorne, Troy, Wilson and Wynne—14.

*Negative*—Messrs. Bennett, Boddie, Bryant, Cunningham

Dortch, Dunn, Finger, Green, Graham, Holt, Hughes, Johnston, Justice, Liles, Mabson, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Stickney, Short, Waddell and York—27.

By consent, the following reports were submitted.

Report from Judiciary Committee.

By Mr. Bingham: S. B. 420, bill to amend the charter of the city of Charlotte, recommending it do pass.

From the Committee on Corporations.

By M. Nicholson, S. B. 735, bill to canal Goshen swamp in Duplin county, recommending an amendment and that it do pass.

Mr Wilson introduced S. B. 792, bill to define the jurisdiction of the Judges of the Superior Courts in granting injunctions. Referred to Committee on Judiciary.

Mr. Finger, from Committee on Education reported H. B. 743, S. B. 775, bill to establish a Normal Department at Shaw University, recommending it do not pass.

From Committee on Finance:

By Mr. Graham: S. R. 762, resolution in favor of H. L. Walton, tax collector of Johnston County, recommending it do pass.

From the Committee on the State Debt,

By Mr. Graham: S. B. 693, bill for the relief of Rev. J. Cordun without recommendation.

The Calendar was resumed,

S. B. 420, bill to amend the charter of the city of Charlotte, on second reading.

Bill passed its second and third readings.

Mr. Ferguson, moved to reconsider the vote by which S. B. 766, H. B. 369, bill to locate a permanent seat of justice in Pender county, failed to pass its third reading.

Motion to reconsider prevailed.

Question recurring upon the passage of the bill, its third reading,



Mr. Standford moved to amend by inserting:

"Section 3rd, each elector voting shall have either written or printed upon his ballot the place voted for and if no location other than South Washington, shall receive a majority of all the votes cast South Washington shall be declared the county site, but if any other location shall receive a majority of all the votes cast said location shall be declared the county site."

Mr. Caho moved to amend:

*"Provided, That the amount to be paid for the depreciation of real estate at South Washington, in the event of the removal of the county site from South Washington, shall not exceed the difference between the valuation of the same for the years, 1872-'76.*

Mr. York demanded the previous question. Sustained.

Mr. Standford's amendment was adopted.

Mr. Caho's amendment was lost.

Mr. Boddie moved to call the town "Standford."  
Adopted.

Bill passed its third reading.

Introduced by Mr. Liles: S. B. 793, bill to incorporate the Wilmington and New River Steam Navigation Company. Referred to Committee on Corporations.

Message from the House of Representatives announcing that the House had concurred in Senate amendments to S. B. 599, H. B. 675, bill to enforce collection of unpaid taxes in New Hanover county, and had receded from the amendments to H. B. 578, S. B. 458, bill to provide for the Inferior Courts in the several counties of the State, and concurred in the amendments of the Senate to the House

amendments to said bill and ordered the same enrolled for ratification.

Also transmitting H. B. 710, S. B. 794, bill to provide a suitable building for the Governor of the State. Referred to the Committee on Public Buildings and Grounds.

H. B. 234, S. B. 795, bill to amend landlord and tenant act. Referred to Committee on Judiciary.

H. B. 485, S. B. 796, bill to incorporate the Hook and Ladder Company, No. 1, of Tarboro, Edgecombe county, North Carolina. Referred to Committee on Corporations.

H. B. 591, S. B. 797, bill to authorize the Commissioners of Hillsboro, to sell certain property. Referred to the Committee on Propositions and Grivances.

H. B. 594, S. B. 744, bill to change a portion of the dividing line between the counties of Hertford and Bertie, on second reading, and passed.

Bill read third time.

Mr. Mebane of Bertie, moved to amend: Strike out "Tilden," and insert "Jarvis." Adopted.

Mr. Mebane of Bertie moved to amend :

*"Provided, That the expenses of holding the elections shall be defrayed by the citizens of that portion of Bertie county which is proposod to be attached to Hertford county. Adopted.*

Bill passed its third reading.

S. B. 780, bill to amend the charter of the town of Charlotte, on second reading.

On motion, it was laid on the table.

S. B. 746, bill to prohibit the sale of spirituous liquors within two and one-half miles of Piny Forest church in Columbus county.

On motion of Mr. Stickney it was indefinitely postponed.  
Mr. Coke moved to reconsider the vote by which H. B.

594, S. B. 744, bill to change a portion of the dividing line between the counties of Hertford and Bertie, passed its third reading. Prevailed.

Amendments were recommended and rejected.

Mr. Dunn moved to amend :

“ *Provided* questions of ceding a portion of Bertie county to Hertford county be left to the qualified voters of Bertie county.” Lost.

Mr. Dunn called ayes and noes. Ordered.

Bill passed third reading, ayes 30, noes 8, as follows :

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Heilig, Holt, Johnston, Latham, Mercer, Nicholson, Robbins, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Troy, Waddell, Williams, Wilson and York—30.

*Negative*—Messrs. Bryant, Dockery, Dunn, Green, Mabson, Mebane of Bertie, Thorne and Wynne—8.

S. B. 697, bill to regulate the sale of liquors in the township of Barton's Creek and New Light in Wake county, on second reading.

Bill passed its second and third readings.

On motion of Mr. Graham, a message was sent to the House of Representatives, informing them that the Senate was ready to proceed to the election of Trustees of the University in accordance with previous notice.

S. B. 695, bill to establish Neuse River Township in the county of Wake, on second reading.

Mr. Wynne moved to amend :

“ *Provided*, That the question of township or no township be submitted to the qualified voters living within the boundaries of the said proposed Neuse River Township.” Lost.



Bill passed its second and third readings.

S. B. 645, bill to restrict the Commissioners of Pender county in certain cases, on second reading.

Bill passed second and third readings.

S. B. 748, bill to provide for the holding of the May term of Pitt Superior Court, on second reading.

Bill passed second and third readings.

H. B. 485, S. B. 690, bill concerning the taking of fish in Little Contentnea Creek and Sandy Run Swamp, on second reading.

Bill passed second and third readings.

S. B. 661, bill to incorporate the Chapel Hill Iron Mountain Railroad Company, on second reading and passed.

H. B. 560 S. B. 757, bill to authorize the Commissioners of Cherokee to levy a special tax, on second reading and passed, ayes 38, noes 1, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell Williams, Wilson, York and Young—38.

*Negative*—Mr. Green.

S. B. 714, bill to amend the charter of the town of Fayetteville, and to regulate the election of Mayor, &c.,

Bill passed its second reading.

On motion of Mr. Troy, it was postponed, and made special order for to-morrow at 11 o'clock.

S. B. 721, bill to amend section 119, chapter 33, of Battle's Revisal, on second reading.

Substitute of Committee was adopted.

Mr. Bingham moved to amend:

*“Provided, The informer shall swear that there is no collusion between him and the party accused.”* Lost.

Bill passed its second reading, ayes 25, noes 9, as follows:

*Affirmative*—Messrs. Askew, Boddie, Caho, Coke, Crawford, Cunningham, Ferguson, Finger, Holt, Latham, Mercer, Nicholson, Robins, Robinson, Roberts, Scales, Stickney, Stewart, Short, Troy, Waddell, Williams Wilson, Wynne and York—25.

*Negative*—Messrs. Bingham, Dortch, Dockery, Dunn, Green, Graham, Johnston, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Sandifer, Stanford and Thorne---9.

Bill was read third time and passed.

On motion of Mr. Mebane of of Bertie, Mr. P. H. Winston, Jr., was invited to a seat upon the floor of the Senate.

Message from the House of Representatives announcing its readiness to go into an election of nine trustees, of the University, and stating as the nominees before that body:

Messrs. William L. Sanders of Wake,

David M. Carter of Wake,

George V. Strong of Wake,

Daniel A. Long of Alamance,

Wm. B. Lynch of Alamance,

John D. Cameron of Orange,

Thos. Sparrow, Beaufort,

Bryan Grimes of Pitt,

And Messrs. King and Wilson, of New Hanover, had been appointed tellers on the part of the House.

Mr. Graham placed in nomination Hon. R. R. Bridgers, for the vacancy caused by the removal from the State of the Hon. Lewis Hilliard and a message to this effect was sent to the House of Representatives, and that Messrs. Graham and Green had been appointed tellers on the part of the Senate.

Message was also received from the House of Represen-

tatives that Messrs. R. R. Bridgers, Stewart L. Johnston and George Dean were in nomination before that body to fill the vacancy in the Board of Trustees caused by the removal from the State of Hon. Lewis Hilliard.

The roll was called and Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, and York, voted for

Messrs. W. L. Sanders of Wake,

David M. Carter of Wake,

George V. Strong of Wake,

Daniel A. Long of Alamance,

Wm. B. Lynch of Alamance,

John D. Cameron of Orange,

Thos Sparrow of Beaufort,

Bryan Grimes of Pitt,

R. R. Bridgers of New Hanover,

Messrs. Mabson and Moore of New Hanover voted for Messrs. Strong, Bridgers, Cameron and Sanders.

Mr. Graham, on the part of the tellers reported as the result of the election by the General Assembly:

W. L. Sanders	received	113 votes
D. M. Carter	"	107 "
George V. Strong	"	114 "
D. A. Long	"	110 "
W. B. Lynch	"	110 "
John D. Cameron	"	117 "
T. Sparrow	"	110 "
Bryan Grimes	"	109 "
O. H. Dockery	"	8 "
S. J. Coltraine	"	4 "



W. F. Martin	received	3 votes.
James Wilson	"	7 "
T. R. Purnell	"	10 "
Willis Bagley	"	1 "
J. W. Hood	"	1 "
R. L. Patterson	"	3 "
W. H. Wheeler	"	1 "
G. A. Foote	"	1 "
John Norfleet	"	1 "
W. A. Duffan	"	1 "
C. L. Cook	"	1 "
J. J. Mott	"	1 "
G. Z. French	"	1 "

To fill vacancy :

Stewart L. Johnston	received	73 votes.
R. R. Bridgers	"	55 "

Messrs. Sanders, Carter, Strong, Long, Lynch, Cameron, Sparrow, Grimes and Johnston were declared duly elected Trustees of the University,

S. B. 735, bill to create a new township in the county of Green to be known as Bull Doze township, passed its second and third readings.

House amendments to S. B. 450, H. B. 527, bill to appoint a special committee for the county of New Hanover, were on motion of Mr. Troy concurred in, and the bill was ordered enrolled for ratification.

S. B. 774, bill to dispose of the question of the State debt, on second reading.

On motion of Mr. Robins, it was referred to Committee on State Debt, with instructions to report Monday.

S. B. 585, bill to amend Battle's Revisal concerning lunatics, on second reading.

Mr. Robinson moved to strike out 1st section. Prevailed.

Vote by which section was stricken out was reconsidered.

Motion to strike out was withdrawn.

The bill passed its second reading.

Message from the House of Representatives :

H. B. 777, S. B. 794, bill to amend section 12, of chapter 105, Battle's Revisal.

On motion of Mr. Robinson, the rules were suspended and the bill passed its second and third readings.

H. R. 784, S. R. 795, resolution in relation to the election of the Justices of the Peace, the rules were suspended and the resolution passed its second and third readings.

The President appointed under this resolution, as Senate branch of said Committee, Messrs. Robinson, Coke, Sandifer, Dockery and Hughes.

Leave of absence was granted to Messrs. Hughes and Mabson until Monday.

Mr. Liles introduced S. R. 796, resolution of request to Governor Vance.

On motion the rules were suspended and resolution put on its passage.

Resolution passed its second and third readings and was ordered sent to the House of Representatives without engrossment.

On motion of Mr. Liles, the Senate adjourned.

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EVENING SESSION.

SENATE CHAMBER, March 2nd, 1877.

Lieut. Governor Jarvis in the Chair.

S. B. 747, bill to amend chapter 1 of laws of 1875, on second reading.

Bill passed its second and third readings.

H. B. 564, S. B. 755, bill to repeal so much of an act to provide for additional terms of the Superior Courts of Northampton and Halifax as applies to Halifax county, on second reading.

Bill passed its second and third readings.

H. B. 632, S. B. 688, bill concerning entries of the Public Lands in Bladen county, on second reading.

Bill passed its second and third readings.

H. B. 705, S. B. 753, bill to provide for the comfort of jurors in certain cases, on second reading.

Bill passed its second and third readings.

H. B. 578, S. B. 756, bill in relation to the Ronoake and Tar River Agricultural Society, on second reading.

Bill passed its second and third readings.

Mr. Johnston reported from Committee on Internal Improvements :

H. B. 694, S. B. 767, Bill to charter the Piedmont Narrow Gauge Railroad Company, recommending that it do pass.

H. B. 629, S. B. 759, bill to enable the Board of County Commissioners of Henderson county to apply the surplus of money in the treasury of said county, on second reading and passed.

Bill read third time and passed.

H. B. 694, S. B. 767, bill to charter the Piedmont Narrow Gauge Railroad Company, on its second reading.

Bill passed its second and third readings.

S. B. 745, bill to create two new townships in Halifax county, on second reading

Bill passed its second and third readings.

H. B. 363, S. B. 743, bill to repeal sections 51, 52 and 53 of chapter 63 of Battle's Revisal, on second reading.

On motion of Mr. Holt it was indefinitely postponed.



S. B. 698, bill to amend section 3 chapter 65 of Battle's Revisal, on second reading.

On motion of Mr. Latham it was indefinitely postponed.

S. B. 640, bill to provide for the election of constables, on second reading.

On motion of Mr. Latham it was indefinitely postponed.

H. B. 473, S. B. 676, bill to amend section 3 chapter 241 laws of 1874-'75, on its second reading.

Bill passed its second and third readings.

S. B. 778, bill to make Haw river a lawful fence, on second reading.

Bill passed its second and third readings.

S. B. 777, bill to amend article ten of the Constitution of North Carolina, on its second reading.

On motion of Mr. Robins it was referred to the Judiciary Committee.

S. B. 735, bill to canal Goshen Swamp, in Duplin county, on its second reading.

Amendments of Committee were adopted. Bill passed its second and third readings.

H. B. 580, S. B. 703, bill to secure the better drainage of the lowlands of the Muddy Fork, on its second reading.

Bill passed its second and third readings.

H. B. 559, S. B. 758, bill to allow the citizens of Caldwell and Watauga to pass through the toll gate on the Caldwell and Watauga Turnpike, on its second reading.

Bill passed its second and third readings.

S. B. 319, bill to incorporate the Farmers' Savings Bank of Ridgeway, on second reading.

Amendments of Committee were adopted.

Bill passed its second and third readings.

H. B. 667, S. B. 773, bill to incorporate the town of Contentnea in the county of Greene, on its second reading.

Bill passed its second and third readings.

H. B. 359, S. B. 786, bill for the better government of the town of Thomasville, on its second reading.

Bill passed its second and third readings.

S. B. 682, bill to create a new county out of parts of Sampson, Cumberland, Harnett, Johnson and Wayne.

On motion of Mr. Crawford it was indefinitely postponed.

S. B. 779, bill to amend section 1, chapter 6, laws of 1870-'71. on second reading.

Bill passed its second and third readings.

S. R. 762, resolution in favor of H. L. Watson, Tax Collector of Johnston county, on its second reading.

Bill passed its second and third readings.

S. B. 693, bill for the relief of Rev. J. Curdner, on its second reading.

On motion of Mr. Stewart it was indefinitely postponed.

S. B. 634, bill in relation to State Penitentiary, on its second reading.

Bill passed its second and third readings.

S. B. 788, bill to provide for fish culture and regulate the catching of fish, on its second reading.

On motion it was postponed until Monday night, 5th inst.

S. B. 763, bill to afford relief to the surities of Isaac Pipkin, late Sheriff of Hertford county, on its second reading.

Amendments reported by the Committee were adopted.

Bill passed its second and third readings.

S. B. 709, bill to provide for the removal of the county seat of Johnston county, on its second reading.

Substitute of Committee was adopted.

Bill passed its second and third readings.

S. B. 765, bill to prohibit the sale of liquors within two miles of Franklin, Macon county, on second reading and passed.

Bill read third time.

Mr. Robinson moved to amend sections 2 and 3 by striking out the words "unless strictly prepared in accordance with the U. S. Dispensatory." Adopted.

Bill passed its third reading.

H. B. 743, S. B. 775, bill to establish a normal school at Shaw University, on second reading.

On motion of Mr. Finger it was laid on the table.

S. B. 121; bill concerning the paupers of the State, on second reading.

On motion of Mr. Holt it was recommitted to Committee on Judiciary.

S. B. 585, bill to amend Battle's Revisal concerning lunatics, on second reading.

Bill passed its second and third readings.

S. B. 661, bill to incorporate Chapel Hill Iron Mountain Railroad Company, on third reading.

Mr. Robins moved to amend: Strike out the words "the Trustees of the University of North Carolina." Adopted.

Bill passed its third reading.

From Committee on Judiciary:

By Mr. Graham: H. B. 450, S. B. 740, bill to repeal section 2, chapter 200, laws of 1874-'75, without recommendation.

By Mr. Mebane of Rockingham: S. B. 571, bill to repeal sections 28 and 29, Battle's Revisal, recommending it do pass

The rules were suspended, and the bill was put on its second reading.

On motion of Mr. Scales it was laid on the table.

H. B. 83, S. B. 635, bill for the appointment of special Tax Collectors in certain cases.

On motion of Mr. Scales it was laid on the table.

Message from the House of Representatives transmitting engrossed amendments to S. B. 521, H. B. 616, bill to amend the charter of the town of Lexington.



On motion of Mr. Roberts the amendments were concurred in, and the bill ordered enrolled for ratification.

S. B. 733, bill to establish lay days on Cashie river, on second reading.

On motion it was indefinitely postponed.

S. B. 792, bill to define the jurisdiction of Judges of the Superior Courts in granting injunctions and for other purposes, on second reading.

Bill passed its second and third readings.

On motion of Mr. Robinson the Senate adjourned.

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## SEVENTY-FIFTH DAY.

SENATE CHAMBER, March 3rd, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

The reading of the Journal was dispensed with.

Reports from Standing Committees were submitted as follows:

From Committee on Corporations:

By Mr. Nicholson: H. B. 498, S. B. 739, bill to authorize the constauction of a Turnpike road from Haysville to Murphy, recommending it do pass.

By Mr. Crawford: H. B. 624, S. B. 750, bill to incorporate Mount Mourne Lodge, No 347, F. A. M. in the county of Iredell, reporting an amendment and as amended, recommending the bill do pass.

By Mr. Sandifer: H. B. 687, S. B. 770, bill to amend

the charter of the town of Lincolnton, recommending it do pass.

By Mr. Thorne: H. B. 639, S. B. 751, bill to amend the charter of the town of Murfreesboro, recommending it do pass.

From Committee on Propositions and Grievances:

By Mr. Heilig: S. B. 782, bill to amend section 5, chapter 138, Laws of 1873-'74.

By Mr. Bingham: H. B. 553, S. B. 785, bill to change the lines of Back Swamp township, recommending it do pass.

From Committee on Agriculture, Machanics and Mining.

By Mr. Holt: Bill to protect the Agricultural interests of Occoneechee Neck, recommending it do pass.

From the Committee on Judiciary:

By Mr. Greene. S. B. 121, bill concerning the paupers of the State, recommending it do pass;

By Mr. Stewart: S. B. 599, bill to legalize Blowing Rock township, in the county of Watauga, recommending it do pass;

H. B. 249, S. B. 335, bill to authorize the several county authorities of this State to farm out convicts, recommending it do pass;

By Mr. Wilson: H. B. 517, S. B. 674, bill to repeal section 48, chapter 78, of Battle's Revisal, recommending it do pass;

By Mr. Bingham: S. B. 609, bill to amend section 18, chapter 117, Battle's Revisal recommending it do pass;

H. B. 561, S. B. 672, bill to amend section 1, of chapter 14, Laws of 1874-'75, reporting amendments and as amended recommending it do pass;

H. B. 790, bill for the relief of the surities of F. W. Bell, sheriff, of Bertie, reporting an amendment and as amended recommending it do pass.

H. B. 733, S. B. 771, bill to amend chapter 83, Battle's Revisal, recommending its reference to the Committee on Propositions and Grievances. It was so referred.

From committee on Claims,

By Mr. Finger: H. R. 115, S. R. 752, resolution in favor of W. J. Gatlin, recommending it do pass.

From Committee on Public Buildings and Grounds.

By Mr. Ferguson: H. B. 710, S. B. 794, bill to provide a suitable building for the Governor of the State, recommending it do pass.

From Committee on Internal Improvements:

By Mr. Short: H. R. 151, S. R. 704, resolution concerning the Albemarle and Chesapeake Canal Company, reporting a substitute and a majority of the Committee recommending the substitute do pass.

From the Committee on Finance:

By Mr. Graham: S. B. 789, bill to authorize the commissioners of Cabarrus county to issue bonds to fund and pay the county debt, recommending it do pass.

S. R. 590, resolution requiring and providing for the indexing of the Journals of the two Houses of the General Assembly and preparation and indexing of legislative documents, recommending it do pass.

The following bills and resolutions, reported as correctly enrolled, by Committee on Enrolled Bills, were duly ratified and transmitted to the office of Secretary of State:

S. B. 568, H. B. 648, an Act to levy a special tax in the county of Cabarrus, and for other purposes.

H. B. 777, S. B. 794, an Act to amend section 12 of chapter 105 of Battle's Revisal.

H. B. 513, S. B. 689, an Act to prevent live stock from running at large within the counties of Rowan and Cabarrus and a portion of the county of Iredell.

S. R. 295, H. R. 130, resolution of instruction to the Keeper of the Capitol.



S. B. 458, H. B. 570, an Act to establish Courts Inferior to the Supreme Court to be styled Inferior Courts.

H. B. 734, S. B. 769, an Act to provide for the publication and sale of the Supreme Court reports amendatory of section 10, chapter 105, of Battle's Bevisal.

H. R. 784, S. R. 795, resolution in relation to Justices of the Peace.

S. B. 175, H. B. 526, an Act in relation to the probate of deeds and conveyances and the privy examination of married women.

S. B. 521, H. B. 616, an Act to amend the charter of the town of Lexington in the county of Davidson.

S. B. 573, H. B. 655, an Act to authorize Rutherford county and other municipal corporations to subscribe to Railroad stock.

H. B. 582, S. B. 707, an Act to change the county line between the counties of Watauga, Wilkes and Ashe.

S. B. 403, H. B. 532, an Act to incorporate the Board of Trustees of the Lillington Academy in the county of Pender.

H. B. 594, S. B. 744, an Act to change a portion of the dividing line between Hertford and Bertie counties.

Reports from Standing Committees were submitted as follows:

From the Committee on Engrossed Bills.

By Mr. York, as correctly engrossed:

S. B. 747, a bill to amend chapter 1 of the Act ratified March 17, 1875.

S. B. 778, a bill to make Haw river a lawful fence from Gilbraith bridge to the mouth of Reedy Fork Creek.

S. B. 695, a bill to establish Neuse River Township in the county of Wake

S. B. 745, a bill to create two new townships in Halifax county.

S. B. 697, a bill to regulate the sale of spirituous liquors.

in the Township of Barton's creek and New Light in Wake county.

S. B. 721, a bill to amend section 119, chapter 33, Battle's Revisal.

S. B. 735, a bill to create a new township in the county of Greene to be known as Bull Doze Township.

S. B. 632, a bill to give proper publicity to legal notices required to be advertised.

S. B. 748, a bill to provide for the holding of May term of Pitt Superior Court.

S. B. 645, a bill to restrict the Commissioners of Pender county in certain cases.

Senate amendments to H. B. 369, S. B. 766, a bill to locate a permanent seat of justice in Pender county.

S. R. 762, resolution in favor of H. S. Watson, Tax Collector of Johnston county.

S. B. 779, a bill to amend section 1, chapter 6, Laws of 1870-'71.

S. B. 634, a bill in relation to State Penitentiary.

S. B. 735, a bill to canal Goshen Swamp in Halifax county.

S. B. 709, a bill to provide for the removal of the county seat of Johnston county.

S. B. 765, a bill to prohibit the sale of intoxicating liquors or bitters within two miles of Franklin, Macon county.

S. B. 585, a bill to amend Battle's Revisal concerning Lunatics.

S. B. 792, a bill to define the jurisdiction of the Judges of Superior Courts in granting injunctions, and for other purposes.

S. B. 661, a bill to incorporate the Chapel Hill Iron Mountain Railroad Company.

S. B. 763, a bill to afford relief to the surities of Isaac Pipkin, late Sheriff of Hertford county.

S. B. 319, a bill to incorporate the Farmers' Savings Bank of Ridgeway.

The following named bills and resolutions were introduced, read and passed first time and referred, or otherwise disposed of as follows:

By M. Scales: S. B. 802, bill for the relief of James I. Hunter, Sheriff of Alamance county, and for other purposes. Referred to the Committee on Judiciary.

By Mr. Troy: S. R. 803, Resolution in favor of certain employees of the Senate. Placed upon the Calendar.

By Mr. Boddie: S. B. 804, bill to extend the time to incorporate the Portis Gold Mining Company in Franklin county.

On motion of Mr. Boddie the bill was taken up, passed its second and third readings, and was transmitted to the House of Representatives without engrossment.

By Mr. Troy: S. B. 805, bill to amend Battle's Revisal concerning lunatics. Placed on the Calendar.

By Mr. Graham: S. B. 806, bill supplemental to an act increasing the number of Trustees of the University.

On motion of Mr. Graham the bill was taken up, passed its second and third readings, and sent to the House of Representatives without engrossment.

Leave of absence were granted Mr. Mercer, until next Tuesday. To Mr. Roberts until Monday next. To Mr. Mebane of Rockingham, until Tuesday next.

Message from the House of Representatives transmitting without engrossment,

H. B. 779, S. B. 796, bill to divide the townships of Averaboro and Buckhorn in the county of Harnett. Placed upon the Calendar.

H. B. 746, S. B. 797, bill to establish a new township in Halifax county. Referred to the Committee on Propositions and Grievances.

H. B. 626, S. B. 798, bill to prevent the hauling of seines



in the waters of Tar river upon certain days. Referred to the Committee on Propositions and Grievances.

H. B. 707, S. B. 799, bill to amend the laws relating to the town of Tarboro. Placed upon the Calendar.

Engrossed copy of H. B. 500, S. B. 809, bill to ratify the action of the Commissioners of Henderson county in establishing Clear creek township and certain township lines. Referred to Committee on Propositions and Grievances.

H. B. 627, S. B. 891, bill to require the treasurers of Martin, Cherokee and Graham counties to pay county orders according to numbers. Referred to Committee on Finance.

Engrossed amendments to S. B. 607, H. B. 681, a bill to organize a government for the city of Wilmington.

On motion of Mr. Short, the amendments were concurred in, and the bill was ordered enrolled for ratification.

The following named bills and resolutions were acted upon as follows:

S. R. 701, resolution in favor of James T. Hunter, Sheriff of Alamance, on third reading and passed.

S. B. 714, bill to amend the charter of the town of Fayetteville and to regulate the election of Mayor and Commissioners, on third reading.

Mr. Troy moved to amend: Add to section 2 the following:

“There shall be but one registrar and he shall be required to register the voters from the different wards separately and shall furnish a true list of registration to the judge of the election for the respective wards.” Adopted.

Mr. Troy moved to amend: Insert in line 3, section 6, after the word “the” the word “Mayor and,” also strike out all after the word “authorize” in line 5 down to and include “tie” in line 6 and insert the following: “to vote upon the

question with said commission and in case of a tie in the vote thus given he shall be authorized to give a casting vote by virtue of his office as Mayor," which were adopted.

Bill passed its third reading.

H. B. 560, S. B. 757, bill to authorize the Commissioners of Cherokee to levy a special tax, on third reading.

Mr. Robinson moved to amend section 2 by striking out all of said section down to and including the word "further" in line 10. Adopted.

Bill then passed its third reading, ayes 35, noes 4, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne Troy, Waddell, Wilson and York—35.

*Negative*—Messrs Dockery, Green, Hughes and Moore of New Hanover—4.

S. B. 789, bill to authorize the Commissioners of Cabarrus county to issue bonds to fund and pay the county debt, on second reading and passed, ayes 33, noes 2, as follows:

*Affirmative*—Messrs. Bennett, Bryant, Caho, Coke, Cunningham, Dortch, Dockery, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robbins, Robinson, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—33.

*Negative*—Messrs. Green and Moore of New Hanover—2.

S. R. 590, resolution requiring and providing for the indexing of the Journals of the two Houses of the General Assembly and preparation and indexing of legislative documents, passed its second and third readings.



S. B. 790, bill for the relief of the sureties of F. W. Bell, Sheriff of Bertie, passed its second and third readings.

S. R. 803, resolution in favor of certain employes of the Senate, on second reading, and passed. Was put upon its third reading when, on motion of Mr. Justice, it was referred to the Committee on Claims.

H. B. 710, S. B. 794, bill to provide a suitable building for the Governor of the State, on second reading.

Mr. Stickney moved to amend:

*“Provided, The portion under lease is excepted in Lovejoy lot.”* Lost.

Mr. Dortch moved to amend:

*“Provided, That the commission be authorized to make such agreement with J. M. Lovejoy as they may deem proper looking to the extinguishment of his lease.”*

By consent, Mr. Dortch withdrew his amendment and the bill passed its second reading.

The bill was put upon its third reading.

Mr. Folk called for the ayes and noes, which were ordered and the bill passed its third reading, ayes 19, noes 14, as follows:

*Affirmative*—Messrs. Bingham, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Justice, Liles, Moore of Mecklenburg, Robinson, Sandifer, Thorne, Troy and Williams—19.

*Negative*—Messrs. Askew, Bennett, Boddie, Dockery, Folk, Green, Latham, Robins, Stickney, Stewart, Waddell, Wilson, Wynne and York—14.

Mr. Holt moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on



the table.

The latter motion prevailed.

S. B. 806, bill to amend Battle's Revisal concerning lunatics, on its second reading.

Mr. Robinson moved to amend: Strike on section 1 and insert the following:

"That sections 40, 41 and 42 of chapter 6, of Battle's Revisal, be and they are hereby repealed."

Mr. Stewart offered a substitute for the bill.

Mr. Holt demanded the previous question on the passage of the bill, its second reading, which was sustained.

Mr. Robinson's amendment was adopted.

Mr. Stewart's substitute was adopted.

Bill then passed its second reading and was put upon its third reading.

Mr. Sandifer call for the ayes and noes, which were ordered.

Mr. Troy moved to amend: Add after the word "counties" the words "and individuals." Adopted.

Mr. Graham moved to amend the ratifying clause by striking out the words "from and after its ratification," and insert "from and after the first day of July, 1877."

Mr. Troy moved to amend: Add after "counties," in the 6th line, the words "for expenses hereafter incurred."

Mr. Crawford demanded the previous question upon the passage of the bill, which was sustained.

The ayes and noes were ordered upon the amendment offered by Mr. Graham, and it was adopted, ayes 22, noes 16, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dockery, Dunn, Green, Graham, Heilig, Justice, Latham, Liles, Mebane of Bertie, Moore of New Havover, Sandifer, Short, Thorne, Waddell and Wynne—22.

*Negative*—Messrs. Crawford, Dortch, Ferguson, Finger,

Folk, Holt, Johnston, Nicholson, Robins, Robinson, Standford, Stickney, Stewart, Troy, Wilson and York—16.

Mr. Troy's amendment was adopted.

Bill then passed its third reading, ayes 25, noes 13, as follows :

*Affirmative*—Messrs. Askew, Bennett, Coke, Crawford, Dortch, Dockery, Ferguson, Finger, Folk, Holt, Johnston, Liles, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robins, Robinson, Standford, Stickney, Stewart, Thorne, Troy, Waddell, Wilson and York—25.

*Negative*—Messrs. Bingham, Boddie, Bryant, Caho, Cunningham, Dunn, Graham, Heilig, Justice, Latham, Sandifer, Short and Wynne—13.

Mr. Troy moved to reconsider the vote by which the bill passed its third reading and moved to lay that motion on the table.

The latter motion prevailed.

Message from the House of Representatives :

Engrossed House amendment to S. B. 243, H. B. 297, bill requiring beef cattle carried to the town of Wilmington to be weighed.

On motion of Mr. Bennett, the amendment was concurred in and the bill ordered enrolled for ratification.

Engrossed House amendment to S. B. 412, H. B. 502, bill to provide for the repairing of Quarantine Hospital at Smithville.

On motion of Mr. Bennett, the amendment was concurred in and the bill was ordered enrolled for ratification.

Engrossed House amendments to S. B. 725, H. B. 722, bill supplemental to an Act passed the present session of the General Assembly, entitled an act to prohibit the sale of intoxicating liquors near Salem and Winston.

On motion of Mr. Wilson, the amendment was concurred in and the bill ordered enrolled for ratification.

Also announcing the refusal of the House to concur in



the second amendment of the Senate to H. B. 369, S. B. 766, bill to locate a permanent seat of government for Pender county, and asking a Committee of Conference.

Mr. Stickney moved the Senate recede from the amendment, upon which he called the ayes and noes, which were ordered and the motion was lost, ayes 13, nays 21, as follows :

*Affirmative*—Messrs. Askew, Boddie, Caho, Coke, Dortch, Heilig, Hughes, Justice, Stickney, Short, Thorne, Waddell and Wilson—13.

*Negative*—Messrs. Bennett, Bingham, Cunningham, Dockery, Dunn, Ferguson, Finger, Graham, Holt, Johnston, Latham, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Stewart, Troy and York—21.

Message from the House of Representatives announcing the concurrence of that body in Senate amendment to H. B. 242, S. B. 706, bill to incorporate the town of Sparta, Edgecombe county, and had ordered the same enrolled for ratification.

Also concurrence in Senate amendments to H. B. 515, S. B. 741, bill to prevent the exportation of partridges ;

In Senate amendment to H. B. 567, S. B. 691, bill to incorporate the Polk Narrow Gauge railroad ;

In Senate amendment to H. B. 511, S. B. 702, bill to regulate the making of election returns ;

In Senate amendments to H. B. 458, S. B. 594, bill to remove obstructions from, and to provide for the passage and propagation of fish, in the rivers of Catawba and Yadkin and had ordered the same enrolled for ratification.

Also transmitting, without engrossment, H. B. 552, S. B. 807, bill to allow tax collector of the town of Concord, in the county of Cabarrus, to collect arrears of taxes. Referred to the Committee on Finance.

H. B. 666, S. B. 808, bill to amend the charter of the



town of Concord, in the county of Cabarrus;

H. B. 581, S. B. 809, bill to authorize the county of New Hanover to levy a special tax. Referred to Committee on Finance.

H. B. 724, S. B. 810, bill to indemnify Polk county for the support of certain lunatics. Referred to the Committee on Insane Asylum.

Also transmitting a message from His Excellency, the Governor, relative to the Institution for the Deaf, Dumb and Blind, with a proposition to print.

The proposition was agreed to.

Engrossed copy of H. B. 735, S. B. 811, bill to incorporate the town of Swansboro, in Onslow county. Referred to Committee on Corporations.

Without engrossment, H. R. 186, S. R. 812, resolution looking to the allotment of the judicial power among the several courts of this State. Referred to the Committee on the Judiciary.

H. B. 414, S. B. 813, bill to amend an act incorporating the town of Morganton, and acts amendatory of said act. Referred to the Committee on Corporations.

Without engrossment, H. B. 665, S. B. 814, bill to incorporate the Wilmington Compress and Warehouse Company. Referred to the Committee on Corporations.

H. B. 593, S. B. 815, bill to authorize New Hanover county to fund its floating debt. Referred to the Committee on Finance.

H. B. 568, S. B. 816, bill to change the dividing line between Blue Springs and Timber Bridge townships, in the county of Robeson. Referred to the Committee on Propositions and Grievances.

H. R. 185, S. R. 807, resolution in relation to public arms.

On motion, the resolution was taken up and passed its

second and third readings, and was ordered enrolled for ratification.

On motion, H. R. 186, S. R. 812, resolution looking to the allotment of the judicial powers among the several courts of this State, was taken up and adopted.

On motion of Mr. Graham, H. B. 596, S. B. 768, bill to raise revenue by the State, was taken up on its second reading, and on his further motion it was made the special order for Monday, 5th inst, at 11 a. m.

The Lieutenant Governor announced as Senate branch of the special Joint Committee on the allotment of the judicial powers among the several courts of this State, Messrs. Wilson, Folk and Robins, and as Senate branch of the Committee of Conference on Senate amendments to H. B. 369, S. B. 766, bill to locate a permanent seat of government for the county of Pender, Messrs. Stickney, Crawford and Standford.

The Calendar was resumed.

H. B. 561, S. B. 672, bill to amend section 1, of chapter 14, Laws of 1874-'75, on second reading.

Amendments reported by the Committee on Judiciary were adopted.

Bill passed its second and third readings.

H. B. 517, S. B. 674, bill to repeal section 46, of chapter 78, of Battle's Revisal, passed its second and third readings.

H. B. 249, S. B. 335, bill to authorize the several county authorities of this State to farm out convicts, on second reading.

Mr. Hughes moved to indefinitely postpone. Lost.

Bill passed its second and third readings.

H. B. 639, S. B. 751, bill to amend the charter of the town of Murfreesboro, passed its second and third readings.

H. B. 498, S. B. 739, bill to authorize the construction of



a Turnpike road from Haysville to Murphy, and to the Tennessee line, on second reading.

Mr. Robinson offered an amendment providing for the extension of the road from Murphy to the Tennessee line, which was adopted.

Bill passed its second reading and was put upon its third reading.

Mr. Robinson moved to amend the bill by adding the words after Murphy "and to the Tennessee line." Adopted.

The bill passed its third reading.

S. B. 599, bill to legalize Blowing Rock township, in the county of Watauga, passed its second and third readings.

H. B. 553, S. B. 785, bill to change the lines of Back Swamp township, passed its second and third readings.

H. R. 115, S. R. 752, resolution in favor of W. G. Gatlin, passed its second and third readings.

H. B. 687, S. B. 770, bill to amend the charter of the town of Lincolnton, passed its second and third readings.

Mr. Graham moved to adjourn. Lost.

H. B. 696, S. B. 787, bill to protect the agricultural interests of Occoneechee Neck, passed its second and third readings.

S. B. 796, H. B. 779, bill to divide the townships of Averasboro and Buckhorn, in the county of Harnett, passed its second and third readings.

Mr. Troy moved to adjourn. Lost.

H. B. 624, S. B. 750, bill to incorporate Mount Mourne Lodge, No. 347, F. A. M., in the county of Iredell, on second reading.

The amendment reported by the Committee on Corporations was adopted.

Bill passed its second and third readings.

S. B. 782, bill to amend section 5, chapter 138, Laws of 1873-'74, on second reading.

r. Troy moved to amend by inserting the following:



"Sec. 1, That section 1, of chapter 138, of the Laws of 1874-'75, ratified the 16th day of February, 1874, be and the same is hereby amended by substituting the words "Monday in May." Adopted.

Bill passed its second and third readings.

H. B. 450, S. B. 740, bill to repeal section 2 of chapter 200, Laws of 1874-'75, a bill to divest the jurisdiction of the Superior Court over misdemeanors in failing to list polls and other property, and for other purposes, on its second reading.

On motion of Mr. Dortch, it was recommitted to the Committee on the Judiciary.

S. B. 121, bill concerning the paupers of the State, on its second reading.

Pending consideration, on motion of Mr. Dortch, the Senate adjourned.

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## SEVENTY-SIXTH DAY.

SENATE CHAMBER, March 4th, 1877.

Senate met.

Lieut. Governor Jarvis in the Chair.

The reading of the Journal was dispensed with.

### PETITIONS.

By Mr. Troy: Petition from the citizens of Harnett county. Referred to the Committee on Propositions and Grievances.

Reports from Standing Committees were submitted as follows:

From Committee on Propositions and Grievances:

By Mr. Justice: H. B. 733, S. B. 771, bill to amend chapter 83, Battle's Revisal, recommending it do pass.

From the Committee on Engrossed Bills.

By Mr. York, as correctly engrossed:

S. B. 79, bill for the relief of the sureties of F. W. Bell, sheriff, of Bertie;

S. B. 599, a bill to legalize Blowing Rock township, in the county of Watauga;

Senate amendments to H. B. 561, S. B. 672, a bill to amend section 1, chapter 14, Laws of 1874-'75;

S. R. 190, resolution requiring and providing for the indexing of the Journals of the two Houses of the General Assembly, and preparation and indexing of legislative documents;

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Senate amendments to H. B. 561, S. B. 757, a bill to authorize the Commissioners of Cherokee to levy a special tax;

S. R. 701, resolution in favor of James T. Hunter, Sheriff of Alamance county;

S. B. 805, a bill to amend Battle's Revisal concerning lunatics;

S. B. 714, a bill to amend the charter of the town of Fayetteville, and to regulate the election of Mayor and Commissioners;

Senate amendments to H. B. 624, S. B. 750, a bill to incorporate Mount Mourne Lodge No. 347, F. A. M., in the county of Iredell;

S. B. 782, a bill to amend sections 1 and 5 of chapter 138, of Laws of 1873-'74.

The following bills and resolutions, reported as correctly enrolled, by Committee on Enrolled Bills, were duly ratified and transmitted to the office of Secretary of State:



S. B. 606, H. B. 729, an Act to incorporate the Charlotte, Warehouse and Compress Company;

H. B. 632, S. B. 688, an Act regulating the mode of making entries of vacant lands in the county of Bladen;

H. B. 629, S. B. 759, an Act to enable the Board of County Commissioners of Henderson county to apply the surplus money in the Treasury, received from the levy of a special tax to pay certain Railroad bonds, which said indebtedness has been settled in full by compromise with the holders of said bonds, to apply said surplus, amounting to the sum of about five thousand dollars, to the liquidation of the general indebtedness of the county of Henderson;

H. B. 202, S. B. 206, an Act to incorporate the town of Sparta, in Edgecombe county;

S. B. 613, H. B. 715, an Act to amend section 361 of the Code of Civil Procedure;

S. R. 641, H. R. 183, resolution in favor of W. H. Sykes, Sheriff of Bladen county;

H. B. 694, S. B. 767, an Act to charter the Piedmont Narrow Gauge Railroad Company;

S. B. 660, H. B. 675, an Act to incorporate the Wentworth Male Academy, in the county of Rockingham;

H. B. 564, S. B. 755, an Act to repeal so much of an Act providing for additional terms of the Superior Courts of Northampton and Halifax counties as applies to the county of Halifax;

H. B. 705, S. B. 753, an Act to provide for the comfort of jurors in certain cases ;

H. B. 458, S. B. 594, an Act to remove obstructions from and provide for the passage of fish in the Catawba river;

H. B. 473: S. B. 576, an Act to amend section 3 of chapter 241, of Public Laws of 1874-'75, entitled an Act to alter the times of holding Superior Courts in the third judicial district;



H. B. 578, S. B. 756, an Act in relation to the Roanoke and Tar River Agricultural Society;

S. B. 547, H. B. 574, an Act to incorporate the town of Littleton, in the counties of Halifax and Warren;

H. B. 559, S. B. 758, an Act to allow the citizens of Caldwell and Watauga to pass through the toll gate on the Caldwell and Watauga Turnpike road free of toll;

S. B. 450, H. B. 527, an Act to appoint a special commission for the county of New Hanover;

H. B. 359, S. B. 786, an Act for the better government of the town of Thomasville, N. C.;

H. B. 667, S. B. 773, an Act to incorporate the town of Contentnea, in the county of Greene;

H. B. 580, S. B. 703, an Act to secure the better drainage of the lowlands of the Muddy Fork of Lower Little river, in Alexander county;

H. C. 485, S. B. 690, an Act concerning the taking of fish in the Little Contentnea Creek and Sandy Run Swamp, in Pitt county.

S. B. 603, H. B. 716, an Act concerning burnt records in the county of Greene;

S. B. 429, H. B. 786, an Act to amend the charter of the city of Charlotte;

S. B. 728, H. B. 716, an Act to repeal chapter 66, Laws of 1874-'75;

S. B. 578, H. B. 720, an Act to amend the charter of the town of Reidsville, in Rockingham county;

H. B. 599, S. B. 675, an Act to enforce collection of unpaid taxes in New Hanover county;

S. B. 642, H. B. 677, an Act to incorporate the town of Stoneville, in the county of Rockingham;

S. B. 669, H. B. —, an Act to incorporate the North Carolina Students' Aid Association;

The following named bills and resolutions were intro-

duced, read and passed first time and referred, or otherwise disposed of, as follows;

By Mr. Bennett: S. B. 818, bill supplemental to a bill to make all outside and division banks on rice plantations lying upon Cape Fear river, a lawful fence. Placed on Calendar.

By Mr. Scales: S. B. 819, bill to amend section 254, chapter 17, Battle's Revisal. Referred to Committee on Judiciary.

By Mr. Short: S. B. 820, bill in relation to the Superintendent of Health for the city of Wilmington. Placed on the Calendar.

By Mr. Troy: S. B. 821, bill supplemental to a bill to provide a suitable building for the Governor of the State. Referred to the Committee on Finance.

By Mr. Wilson: S. B. 822, bill to amend Battle's Revisal, chapter 65, section 10. Referred to Committee on Judiciary.

By Mr. Coke: S. B. 832, bill to authorize certain persons to convey and make title in Macon county. Referred to Committee on Judiciary.

The following named bills and resolutions were acted upon as follows:

H. B. 707, S. B. 799, bill to amend the law relating to the town of Tarboro, on second reading, and passed, ayes 26, noes 0, as follows:

*Affirmative*—Messrs. Bennett, Bingham, Caho, Crawford, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Nicholson, Robbins, Scales, Standford, Stickney, Short, Thorne, Troy and York—26.

*Negative*—None.

S. B. 789, bill to authorize the Commissioners of Cabarrus county to issue bonds to fund and pay the county debt, on third reading, and passed, ayes 27, noes 0, as follows:



*Affirmative*—Messrs. Bennett, Bingham, Boddie, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Heilig, Holt, Johnston, Justice, Latham, Liles, Moore of Mecklenburg, Nicholson, Robbins, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Wilson and York—27.

*Negative*—None.

H. B. 583, S. B. 754, bill to confer upon the Mayors of the cities of Raleigh, Charlotte, and town of Excelsior, in Burke county, the criminal jurisdiction of Justices of the Peace, on second reading.

Mr. Standford moved to amend: Add Tarboro. Adopted.

Bill passed its second and third readings.

Mr. Graham moved to reconsider the vote by which the bill passed its third reading, which prevailed.

Mr. Graham moved to amend: "any corporate city or town." Adopted.

Bill passed its third reading.

Message from the House of Representatives, transmitting H. B. 700, S. B. 823, bill to authorize the Commissioners of Yadkin county to levy a special tax. Referred to Committee on Finance.

H. B. 262, S. B. 824, bill to amend chapter 242, Laws of 1874-'75. Referred to the Committee on Internal Improvements.

H. B. 410, S. B. 825, bill to incorporate the town of Seaboard. Referred to the Committee on Corporations.

H. B. 461, S. B. 826, bill to incorporate the town of Vanceboro, in Craven county. Referred to Committee on Judiciary.

H. B. 451, S. B. 827, bill to amend chapter 152, Public Laws of 1874-'75. Referred to the Committee on Judiciary.

H. B. 697, S. B. 825, bill to prevent obstructions to the



passage of fish up the Tuckaseegee river. Referred to the Committee on Propositions and Grievances.

H. B. 754, S. B. 829, bill to establish a ferry in the counties of Davidson and Davie. Referred to the Committee on Propositions and Grievances.

H. B. 605, S. B. 830, a bill to allow distillers of liquor to sell the product of their stills in the town of Mount Airy. Referred to the Committee on Propositions and Grievances.

H. B. 643, S. B. 831, bill to prevent the felling of trees within the high water mark of Fisher's river, in the county of Surry. Referred to the Committee on Propositions and Grievances.

H. B. 371, S. B. 832, bill to empower the Commissioners of Person county to levy a special tax. Referred to the Committee on Finance.

H. B. 588, S. B. 833, bill to amend chapter 20, section 5, of Laws of Special Session of 1869. Referred to Committee on Judiciary.

Engrossed amendments to S. B. 368; H. B. 608, bill to regulate proceedings against owners of mill dams.

On motion of Mr. Stewart, the amendment was concurred in.

S. B. 121, bill concerning the paupers of the State, being the unfinished business, on second reading.

Mr. Mebane of Bertie moved to amend:

*"Provided, That the County Commissioners may have the power to allow compensation to those paupers that may be kept by other persons with a written consent of the Board of Commissioners."*

Mr. Justice moved to indefinitely postpone.

The hour for the special order arrived, and, on motion of Mr. Graham, it was taken up:

H. B. 596, S. B. 768, bill to raise revenue, known as Revenue Act.

On motion of Mr. Graham it was considered by sections.

Section 1.: Adopted

Section 2: Mr. York moved to amend: Strike out "95 cents" and insert "80 cents," in line five.

Mr. Graham called for a division.

Senate refused to strike out.

Mr. York moved to amend: Strike out " $14\frac{2}{3}$ " and insert "13 cents," in section 3, line 2.

Mr. Graham called for a division.

Mr. York called for the ayes and noes, which were ordered, and the Senate refused to strike out, ayes 12, noes 25, as follows:

*Affirmative*—Messrs. Bingham, Boddie, Dockery, Folk, Justice, Latham, Liles, Nicholson, Sandifer, Thorne, Wynne and York.

*Negative*—Messrs. Askew, Bryant, Caho. Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Moore of Mecklenburg, Robins, Robinson, Scales, Standford, Stickney, Stewart, Short, Troy and Wilson—25.

Mr. York moved to amend: Strike out 9 and insert 8 cents in clause 1, section 2, line 1.

Mr. Graham moved a division of the question.

Mr. Dockery called the ayes and noes, which were ordered, and the Senate refused to strike out, ayes 12, noes 23, as follows:

*Affirmative*—Messrs. Bingham, Boddie, Dockery, Justice, Latham, Liles, Moore of New Hanover, Nicholson, Sandifer, Thorne and Wynne—12.

*Negative*—Messrs. Askew, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Moore of Mecklenburg, Robins,



Robinson, Scales, Standford, Stickney, Stewart, Short and Wilson—23.

Mr. York moved to amend: Strike out 8 cents and insert 6 cents, in clause 1, section 3, line 1.

Mr. Troy moved a division of the question.

Mr. Latham demanded the ayes and noes, which were ordered, and the Senate decided to strike out, ayes 21, noes 15, as follows:

*Affirmative*—Messrs. Bingham, Bryant, Caho, Coke, Cunningham, Dortch, Dockery, Folk, Hughes, Justice, Latham, Liles, Mebane of Bertie, Nicholson, Sandifer, Standford, Stickney, Stewart, Thorne, Williams and York—21.

*Negative*—Messrs. Askew, Crawford, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Moore of New Hanover, Robins, Robinson, Scales, Short, Troy and Wilson—15.

Mr. York, moved to insert "6," which was adopted.

Mr. Graham offered a substitute for section 1, chapter 1:

"Upon the value of all moneys, credits, investments in lands, stocks, joint stock companies, or otherwise, and when all real and personal property according to its true value in money, required to be listed in section 9 of an act to provide for the collection of taxes, passed during the present session of the General Assembly, subject to exemption made by law, there shall be levied the following taxes: 1st for the general fund, fourteen and two-thirds cents on every hundred dollars value; 2nd, for the support of the Asylum for the insane and the Institute for the Deaf Dumb and Blind, 9 cents in every hundred dollars value 3rd, for the support of convicts and prosecution of work connected with the penitentiary, six cents on every hundred dollars value." Adopted.

Mr. Graham offered a substitute for clause 1:

"Sec. 2. The taxes imposed in the preceding section,



upon the shares of stock in any bank or banking association, whether State or national, in this State, and also on the deposits of non-residents, shall be paid by the cashier of such bank or banking association directly to the public treasurer within thirty days after the first day of July in each year, and charge by such bank against the individual stockholder and the assessors and board of commissions in the county in which such stockholder resides shall assess against his shares of stock, only the tax imposed by the State for school purposes and those imposed for county purposes. But the shares of stock belonging to non-residents of this State and the deposits of such non-residents shall be assessed for taxation for support of school and county purposes in the county in which such bank is located, and shall be paid by the cashier of such bank or banking association.

The provisions of an act to provide for the collection of taxes by the State, passed at the present session of the General Assembly, are modified to conform to the requirements of this act, and the form furnished by the Auditor shall contain a separate column for bank stock." Adopted.

Clause 2: Mr. Graham moved to strike out in line 4, "the," down to and including "government," in line seven. Lost.

Mr. Graham moved to amend:

"Sec. 2. Upon the valuation of the franchise of every railroad, canal, turnpike, plank road or transportation company, made as prescribed in section 11 of an act to provide for the collection of taxes, passed during the present session of the General Assembly, there shall be a tax of one-half of one per centum, which tax shall be paid directly to the Public Treasurer within thirty days after such valuation." Adopted.

## SCHEDULE, B.

Sec. 1. Mr. Moore of Mecklenburg, moved to strike out "5" and insert "3." Lost.

Section one was adopted.

Section 2: Mr. Stewart moved to strike out "three" and insert "five." Lost.

Section 2 was adopted.

Section 3 was adopted.

Sec. 4. Mr. Sandifer moved to strike out "\$100," and insert "\$50." Lost.

Mr. Askew offered a substitute for the section, which was lost.

Section 4 was adopted.

Section 5: Mr. Sandifer moved to strike out "education." Lost.

Section 5 was adopted.

Sections 6, 7, 8 and 9 were adopted.

Section 10: Mr. Askew moved to amend :

*"Provided*, also, that no purchaser shall be required to pay this per cent tax, who shall produce a certificate sworn to by the person or persons from whom he purchased, that he had previously paid said tax." Lost.

Section 10 was adopted.

Section 11: Mr. Askew moved to amend :

*"Provided*, That in all towns and villages containing less than one thousand inhabitants, and all county places if situated two miles distance from any city or town containing over one thousand inhabitants, the license tax shall be one-half only of that required for cities and towns containing one thousand inhabitants or more." Lost.

The section was adopted.

Sec. 12: Mr. Stewart moved to strike out in line 31, the words "less," and insert the word "more." Adopted.

Mr. Graham moved to amend: In line six strike out "a tax of," and insert "as a privilege tax;" in line 7 strike out "as a privilege tax;" in line 9 strike out "and" and insert "but;" in line 17 strike out "taxable property" and insert "purchase." Adopted.

Mr. Crawford moved to amend: In line 5 strike out after the word "act" down to the word "State," in line 8. Lost.

Mr. Crawford moved to amend: Strike out line 7, upon which motion he called the ayes and noes, which were ordered and the amendment was lost, ayes 9, noes 27, as follows:

*Affirmative*—Messrs. Bryant, Crawford, Heilig, Hughes, Liles, Moore of Mecklenburg, Nicholson, Williams and York—9.

*Negative*—Messrs. Askew, Caho, Coke, Cunningham, Dortch, Dockery, Ferguson, Finger, Folk, Graham, Holt, Justice, Latham, Mebane of Bertie, Moore of New Hanover, Robins, Robinson, Sandifer, Scales, Standford, Stiekney, Stewart, Thorne, Troy and Wilson—27.

Mr. Holt moved to amend: Strike out all after the word "therein" in line 25 and down to and including the word "days" in line 32. Lost.

The section as amended was adopted.

Section 13 was adopted.

Section 14: Mr. Liles moved to amend: Add at the end of the section "one tenth of one per cent on gross receipts." Adopted.

Section 14 as amended was adopted.

Sections 15 and 16 were adopted.

Section 17: Mr. Graham moved to amend: Insert after the word "merchant" in line 1, the words "or agent or dealer



buying or selling for another," and strike out the first proviso. Adopted.

As amended this section was adopted.

Section 18: Mr. Graham moved to amend: strike out "mules" in line 6. Lost.

Mr. Sandifer moved to amend: In line 3 by adding after the word "horse" the words "or mule." Adopted.

As amended this section was adopted.

Section 19: Mr. Graham moved to amend. In line 13 strike out "but" and insert "more than." Adopted.

Sections 20, 21, 22 and 23 were adopted.

Section 24: Mr. Latham moved to amend: In line 10, after the word "county" insert the words "or municipal Corporations." Lost.

Mr. Graham moved to amend: Strike out "drummer or traveling agent of any person." Adopted.

Mr. Stewart moved to amend: Strike out in line 17 "one month" and insert "thirty days." Adopted.

Mr. Graham moved to amend: Add after "State" in line 14, "said tax to be paid to the sheriff of the county." Adopted.

Mr. Graham moved to amend: after "sell," in line 2 insert "or attempt to sell." Adopted.

The section as amended was adopted.

Sections 25, 26, 27 and 28 were adopted.

Section 29: Mr. Caho moved to amend: Strike out the words "twenty-five" in line 7, and insert "fifty" in lieu thereof. Lost.

Mr. Stickney moved to amend: Strike out in line 5 "fifty cents," and insert "twenty-five cents." Lost.

The section was adopted.

Sections 30, 31, 32 and 23, were adopted.

## SCHEDULE C.

Section 1: Mr. Graham moved to amend: In line 4 strike out "a tax of" and insert "as a tax upon said corporations, a sum equal to," in line 32 strike out "a tax of" and insert "as a tax upon said corporations, a sum equal to," in line 41 strike out "the gross earnings of said company," and insert "or the tax before mentioned in this section." Adopted.

Mr. Graham moved to amend:

"*Provided*, however, the tax required to be paid on July 1st, 1877, upon the said corporations shall be a sum equal to the per cent required on gross earnings from April 1st, 1877." Adopted.

Sections 2, 3, 4, 5, 6 and 7 were adopted.

Section 8: Mr. Graham moved to amend: In line 2 after the word "section," insert "or if appropriating to his own use, any state, county, school, city or town taxes" Adopted.

As amended section 8 was adopted.

Sections 9, 10, 11 and 12 were adopted.

Question recurring upon the passage of the bill as a whole, its second reading,

Mr. Johnson moved to reconsider the vote by which Mr. Graham's amendment to strike out all after the word "centum" in line 3, section 1, of class 2, down to the word "in" in line 7, was lost, the motion did not prevail.

Mr. Graham moved to amend: In section 2 line 5, strike out "95" and insert "89." Adopted.

Mr. Liles moved to amend section 5, Schedule B, by adding

*“Provided, That no part or clause of this section shall be so construed as to exempt from taxation persons claiming to be spiritualists or mediums of communication between the material and immaterial worlds and giving public exhibitions.”* Adopted.

Mr. Askew moved to amend: Add to section 4, schedule B, “if any circus, menagerie or any traveling company who exhibit or perform for reward shall suffer or permit gamblers, swindlers, blacklegs or any other class of persons to travel with said company to set up any pavilion tent or booth or open any place for practicing any game, trick or art by display of watches, jewelry, gold, silver britania plated ware, or any article of value to deceive and decoy any person to bet at any game of chance or trisk by whatever name it may be called, shall be subject to a penalty of two hundred dollars, and it shall be the duty of the sheriff, deputy sheriff or constable to collect the same and may seize any horses, wagon or other personal property belonging to said company and sell the same in default of the payment of the penalty, one-half of the proceeds to be applied to the public school fund, and one-half to the use of the poor of the county after deducting the costs and charges.” Lost.

Mr. Graham moved to amend: Subject to the exemptions contained in the act to provide for the collection of taxes passed during this session of the General Assembly. Adopted.

Mr. Wilson moved to amend: “That each itinerant person on company peddling stoves shall pay an annual tax of one hundred dollars for each county where he or they may peddle and shall obtain the license provided in section 21 of this act, except the license shall expire at the end of twelve months.”

Mr. Stewart moved to amend the amendment by striking out “one hundred dollars” and inserting “twenty five



dollars for each additional wagon, when wagons are used." Adopted.

As amended, Mr. Wilson's amendment was adopted.

The bill then passed its second and third reading, ayes 28, noes 9, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Scales, Standford, Stickney, Stewart, Troy, Williams, Wilson and York—32.

*Negative*—Messrs. Dockery, Dunn, Hughes, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—7.

By consent, Mr. Robinson reported from Committee on Finance,

S. B. 807, H. B. 552, bill to allow the tax collectors of the town of Concord, county of Cabarrus, to collect arrears of taxes, recommending it do pass.

By Mr. Graham: H. B. 581, S. B. 809, bill to authorize New Hanover county to levy a special tax, recommending it do pass.

H. B. 627, S. B. 801, bill to require the treasurers of Martin, Cherokee and Graham counties, to pay county orders according to numbers, recommending it do pass.

H. B. 593, S. B. 815, bill to authorize New Hanover county, to fund its floating debt, recommending it do pass.

From the Committee on Propositions and Grievances.

By Mr. Dortch: H. B. 746, S. B. 797, bill to establish a new towuship in Halifax county, recommending it do pass.

From the Committee on State Debt,

By Mr. Graham: S. B. 774, bill to dispose of the question of the State Debt, reporting a substitute and recommending it do pass.

On motion of Mr. Moore of New Hanover, the Senate adjourned.

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EVENING SESSION.

SENATE CHAMBER, March 5th, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the Chair.

The unfinished business was taken up, it being S. B. 121, bill concerning the paupers of the State, on second reading.

Question recurring upon the motion of Mr. Justice to indefinitely postpone, which was withdrawn.

Mr. Troy moved to amend:

*“Provided, This Act shall not apply to the county of Cumberland so far as it requires all the paupers to be maintained at the county Poor House.”*

Mr. Caho moved to amend the amendment by adding after the word “Cumberland” the words “and Pamlico.”

Mr. Askew moved to amend: Strike out the words “or privately.”

Mr. Robinson moved to amend:

*Provided, That no part of this Act shall apply to the counties of the 40th, 41st and 42nd Districts.”*

Mr. Folk moved to amend: After the word “place” add “or places,” so as to make the clause read “place or places.”

Mr. York moved to indefinitely postpone.

Mr. Standford called for the special order, which was taken up, it being S. B. 449, bill to more effectually prevent discriminations in freight tariffs by railroad companies, on second reading.

On motion of Mr. Standford, it was made special order for Wednesday night at 8 o'clock.

The unfinished business was resumed :

S. B. 121, bill concerning the paupers of the State.

Mr. York moved to refer to the Committee on Propositions and Grievances.

Mr. Caho moved to lay on the table, which was lost.

On motion of Mr. Mebane of Bertie, it was referred to the Committee on Judiciary.

Message from the House of Representatives transmitting the House amendments to the Senate amendment to the Machinery Bill.

On motion of Mr. Graham, the amendments were concurred in, and the House so informed.

Special order was taken up :

S. B. 788, bill to provide for fish culture and regulate the catching of fish, on second reading.

On motion of Mr. Dortch, it was made special order for to-morrow, 6th inst., at 12 M.

H. B. 158, S. B. 512, bill to repeal section 4, chapter 136, of Laws of 1874-'75, on second reading.

Mr. Standford moved to indefinitely postpone.

On motion of Mr. Troy, the bill was laid on the table.

H. R. 151, S. R. 704, resolution concerning the Albemarle and Chesapeake Canal Company, on second reading.

Substitute of the Committee was adopted.

Resolution passed its second and third readings.

H. B. 746, S. B. 797, bill to establish a new township in Halifax county, on second reading.



Bill passed its second and third readings.

S. B. 807, H. B. 552, bill to allow the Tax Collector of the town of Concord, in the county of Cabarrus, to collect arrears of taxes, on second reading.

Bill passed its second and third readings.

H. B. 581, S. B. 809, bill to authorize New Hanover county to levy a special tax, on second reading and passed, ayes 32, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Nicholson, Robins, Robinson, Roberts. Sandifer, Standford, Stickney, Stewart, Short, Thorn, Troy and York—32.

*Negative*—None.

Message from the House of Representatives informing the Senate that the House of Representatives had concurred in Senate amendments to the following bills, and ordered the same to be enrolled for ratification, viz :

H. B. 316, S. B. 440, a bill to be entitled an Act to incorporate New Hope Baptist Church in Cleaveland county ;

H. B. 292, S. B. 401, a bill to be entitled an Act to incorporate King's Mountain Baptist Female Seminary, at Shelby, N. C. ;

H. B. 422, S. B. 605, a bill to be entitled an Act to incorporate Trent Lodge No. 2, Independent Order of Mechanics, of the city of New Berne, county of Craven ;

H. B. 436, S. B. 560, a bill to be entitled an Act to amend chapter 20, section 1, Battle's Revisal ;

H. B. 324, S. B. 442, a bill to be entitled an Act to amend section 2, chapter 152, Laws of 1871-'72 ;

H. B. 246, S. B. 402, a bill to be entitled an Act to amend sections 1 and 5, chapter 138, Laws of 1873-'74 ;

H. B. 207, S. B. 309, a bill to be entitled an Act to amend chapter 104, section 25, Battle's Revisal ;

H. B. 272, S. B. 400, a bill to be entitled an Act to amend section 16, chapter 44, Battle's Revisal;

H. B. 256, S. B. 284, a bill to be entitled an Act to prevent the destruction of legal notices;

H. B. 345, S. B. 529, a bill to be entitled an Act to incorporate the town of Gatesville, in the county of Gates;

H. B. 177, S. B. 268, a bill to be entitled an Act to prevent the felling of timber in Tennessee river, in Macon county;

H. B. 453, S. B. 543, a bill to be entitled an Act to protect deer between the 15th of January and 1st of September, in the counties of Stokes, Forsyth, Surry, &c.;

H. B. 561, S. B. 488, a bill to be entitled an Act to repeal and amend certain sections in chapter 6, Battle's Revisal, in relation to the Insane Asylum at Raleigh;

H. B. 380, S. B. 488, a bill to be entitled an Act to amend chapter 52, section 22, of Battle's Revisal;

H. B. 343, S. B. 435, a bill to be entitled an Act to extend the time of taking out grants from the State;

H. B. 383, S. B. 382, a bill to be entitled an Act to change the days of sale;

H. B. 460, S. B. 603, a bill to be entitled an Act to incorporate La Grange Lodge, No. 170, I. O. O. F., in Lenoir county;

H. B. 593, S. 815, bill to authorize New Hanoven county to fund its floating debt, on second reading and passed, ayes 35, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mebane of Bertie, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Short, Thorne, Troy, Wilson and York—35.

*Negative*—None.

H. B. 627, S. B. 801, bill to require the Treasurers of

Martin, Cherokee and Graham counties to pay court orders according to numbers, on second reading.

Mr. Robinson moved: In line 3 strike out the words "Cherokee and Graham," and strike out "counties" wherever the same occurs, and insert "county," which was adopted.

Bill passed its second and third readings.

H. B. 733, S. B. 771, bill to amend chapter 83, Battle's Revisal, on second reading.

On motion of Mr. Stickney it was postponed until action was taken on the special order to-morrow.

Message from the House of Representatives transmitting House amendments to S. B. 459, H. B. 682, bill to provide for the completion of the Western Asylum for the Insane.

On motion of Mr. Robinson, the Senate concurred in the amendments, and ordered the bill enrolled for ratification.

On motion of Mr. Stanford, the Senate adjourned.

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## SEVENTY-SEVENTH DAY.

SENATE CHAMBER, March 6th, 1877.

Senate met.

Lieut. Governor Jarvis in the Chair.

Prayer by Rev. Dr. Vaughan, of the city.

The reading of the Journal was dispensed with.

Reports from Standing Committees were submitted as follows:



From Committee on Corporations:

By Mr. Albright: H. B. 410, S. 825, bill to incorporate the town of Seaboard, recommending it do pass.

From the Committee on Claims:

By Mr. Caho: S. R. 803, resolution in favor of certain employees of the Senate, reporting a substitute and recommending it do pass.

From Committee on Finance:

By Mr. Holt: H. B. 371, S. B. 832, bill to empower the Commissioners of Person county to levy a special tax, recommending it do pass.

By Mr. Graham: H. B. 700, S. B. 823, bill to authorize the Commissioners of Yadkin county to levy a special tax, and issue bonds to pay the debt of said county, recommending it do pass.

S. B. 821, bill supplemental to an act to provide for a suitable building for the Governor, recommending a substitute and that it do pass.

From Committee on Engrossed Bills:

By Mr. York: H. B. —, bill to authorize the Commissioners of Cabarrus county to issue bonds;

Senate amendments to H. B. 583, S. B. 754, bill to confer upon Mayors of incorporated cities the criminal jurisdiction of Magistrates;

Senate amendments to H. R. 151, S. R. 704, resolution concerning the Albemarle and Chesapeake Canal Co.;

Senate amendments to H. B. 627, S. B. 801, bill to require the Commissioners of Cherokee and Graham counties to pay county orders according to numbers.

The following bills and resolutions, reported as correctly enrolled, by Committee on Enrolled Bills, were duly ratified and transmitted to the office of Secretary of State:

S. B. 694, H. B. 775, an Act to create and establish Grays Creek Township in the county of Cumberland;

H. B. 639, S. B. 751, an Act to amend an Act entitled

an Act for the re-incorporation and better government of the town of Murfreesboro, in the county of Hertford, ratified the 16th day of February, 1855;

H. R. 186, S. R. 812, resolution looking to the establishment of the judicial power among the several courts of the State;

S. B. 796, H. B. 779, an Act to divide the townships of Aversboro and Buckhorn in the county of Harnett;

H. 115, S. R. 712, resolution in favor of W. J. Gatlin;

S. B. 616, H. B. 771, an Act to incorporate the town of Enochville, Rowan county;

H. B. 517, S. B. 674, an Act to repeal section 46, chapter 78, Battle's Revisal;

H. B. 357, S. B. 719, an Act to lay out and construct a public road from Pheneas Horton's store, Wilkes county, to to the deep gap of the Blue Ridge, in Watauga county;

H. B. 567, S. B. 691, an Act to incorporate the Polk county Narrow Gauge Railroad Company;

S. B. 412, H. B. 582, an Act to provide for the repairing of the Quarantine Hospital at Smithville;

H. B. 292, S. B. 401, an Act to incorporate King's Mountain Baptist Female Seminary, at Shelby, N. C.;

H. B. 687, S. B. 770, an Act to amend the charter of Lincolnton;

S. B. 607, H. B. 681, an act to organize a government for the city of Wilmington;

S. B. 712, H. B. 767, an Act to incorporate the Moravian Falls Academy, in Wilkes county;

S. B. 725, H. B. 722, an Act supplemental to an Act passed the present session of the General Assembly, entitled an Act to prohibit the sale of spirituous liquors near Salem and Winston, and for other purposes;

H. B. 511, S. B. 702, an Act to regulate the manner of making election returns.

H. B. 515, S. B. 741, an Act to prohibit the exportation of partridges

H. R. 185, S. R. 817, resolution in relation to public arms;

H. B. 553, S. B. 785, an Act in relation to Back Swamp township in Robeson county;

H. B. 249, S. B. 335, an Act to authorize the several county authorities of this State to farm out convicts,

H. B. 710, S. B. 744, an Act to provide a suitable house for the Governor of the State;

S. B. 245, H. B. 291, an Act requiring beef cattle carried to the town of Wilmington to be weighed;

H. B. 696, S. B. 787, an Act to protect the agricultural interests of Occoneechee Neck;

An Act to regulate proceedings against owners of mill dams for injuries done by them.

The following named bills and resolutions were acted upon as follows:

S. B. 774, bill to dispose of the question of the State debt, on second reading.

Mr. Scales moved to amend: "who shall receive for their services no pay beyond their expenses," which was accepted:

Mr. York asked for the ayes and noes.

Mr. Graham demanded the previous question, which was sustained.

The ayes and noes were ordered.

Substitute was adopted, ayes 23, noes 11; as follows:

*Affirmative*—Messrs. Askew, Bennett, Boddie, Coke, Crawford, Cunningham, Dunn, Graham, Heilig, Holt, Hughes, Johnston, Liles, Moore of Mecklenburg, Robins, Roberts, Scales, Stickney, Stewart, Short Thorne, Waddell and Wilson—23.

*Negative*—Messrs. Albright, Bingham, Caho, Dortch, Ferguson, Finger, Justice, Latham, Mercer, Nicholson and York—11.



Mr. Robins demanded the ayes and noes on the passage of the bill, its second reading, which were ordered.

Bill passed, ayes 25, noes 13, as follows :

*Affirmative*—Messrs. Askew, Boddie, Bryant, Coke, Crawford, Cunningham, Dockery, Dunn, Graham, Heilig, Holt, Hughes, Johnston, Justice, Liles, Mebane of Bertie, Moore of New Hanover, Roberts, Scales, Stickney, Short, Thorne, Waddell, Williams and Wilson—25.

*Negative*—Messrs. Albright, Bennett, Bingham, Caho, Dortch, Ferguson, Finger, Latham, Mercer, Nicholson, Robins, Stewart and York—13.

Bill was read third time and passed.

On motion of Mr. Liles, leave of absence was granted to Messrs. Robinson, Sandifer and Dockery for to-day on act of having to attend committee

By consent, Mr. Standford introduced S. B. 835, bill to provide for the colored insane of the State and on further motion it was made special order for Wednesday the 7th inst. at 11 o'clock.

By Mr. Short: S. B. 836, bill concerning insurance. Placed on the Calendar.

From Committee on Judiciary:

Mr. Wilson reported S. R. 737, resolution in favor of Robinson L. Inland and others, recommending a substitute and that it do pass.

By consent, Mr. Waddell introduced S. R. 837, resolution authorizing the Treasurer to receive money from Raleigh National Bank, deposited by E. G. Hill, Sheriff of Johnston county. Referred to the Committee on Finance.

Mr. Robinson introduced S. R. 838, resolution postponing the election of Magistrates until Thursday the 9th, at 12 M.

On motion of Mr. Robinson, it was taken up and adopted, and transmitted to the House of Representatives without engrossment.

H. B. 581, S. B. 809, bill to authorize New Hanover county to levy a special tax, on second reading, and passed, ayes 34, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dockery, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mebane of Bertie, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Stewart, Short, Thorne, Troy, Waddell, Williams and York—84.

*Negative*—None.

H. B. 593, S. B. 815, bill to authorize New Hanover county to fund its floating debt, on third reading and passed, ayes 36, noes 0, as follows.

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Coke, Cunningham, Dortch, Dunn, Finger, Graham, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—36.

*Negative*—None.

H. B. 707, S. B. 799, bill to amend the laws relating to the town of Tarboro, on third reading and passed, ayes 35, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Justice, Latham, Liles, Nicholson, Robins, Roberts, Sandifer, Scales, Stanford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—35.

*Negative*—None.

H. B. 371, S. B. 832, bill to empower the Commissioners of Person county to levy a special tax, on second reading and passed, ayes 33, noes 0, as follows :



*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Cunningham, Dortch, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Justice, Latham, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Waddell, Williams, Wilson, Wynne and York—33.

*Negative*—None.

H. B. 700, S. B. 823, bill to authorize the Commissioners of Yadkin county to levy a special tax, on second reading and passed, ayes 29, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Graham, Heilig, Holt, Justice, Latham, Nicholson, Robins, Roberts, Scales, Stickney, Stewart, Thorne, Waddell, Williams, Wilson and York—29.

*Negative*—None.

S. R. 803, resolution in favor of certain employees of the Senate, on second reading.

Mr. Dortch moved to amend by inserting "and to H. C Brock \$50 additional."

Mr. Troy moved the whole matter be referred to a select committee of three, to be called Committee on Contingent Expenses

Mr. Graham called the previous question. Lost.

Motion to refer to select committee was adopted.

President appointed Messrs. Troy, Short and Crawford as said committee.

By consent, Mr. Dortch introduced S. B. 839, bill to organize the militia of the State.

Referred to the Committee on Military Affairs, and ordered to be printed.

Mr. Wilson from Committee on Judiciary reported:

H. B. 218, S. B. 783, bill to secure to owners of real es-



tate in this State a Homestead in fee simple, recommending it do pass.

By Mr. Coke : S. B. 819, bill to amend section 254, chapter 17, Battle's Revisal, recommending it do pass.

Mr. Thorne's bill in relation to dishonest officials, recommending it do not pass.

Message from the House of Representatives asking the return of the bill for the completion of the Western Insane Asylum, which was ordered.

Also transmitting H. B. 128, S. B. 840, bill in regard to publishing county exhibits, amending chapter 37, section 13, of Battle's Revisal. Referred to Committee on Finance.

H. B. 326, S. B. 841, bill for the relief of Geo. W. Willoughby, late Sheriff of Anson county. Referred to Committee on Finance.

H. B. 384, S. B. 842, bill to incorporate Sugar Creek Presbyterian Church, in the county of Mecklenburg. Referred to the Committee on Corporations.

H. B. 673, S. B. 843, bill to amend chapter 104, section 41, line 2, Battle's Revisal. Referred to the Committee on Judiciary.

H. B. 92, S. B. 804, bill in relation to rangers. Referred to the Committee on Propositions and Grievances.

H. B. 125, S. B. 845, bill to amend chapter 9 of Battle's Revisal. Referred to the Committee on Judiciary.

H. B. 695, S. B. 846, bill to incorporate the Roan Mountain Iron and Steel Company. Referred to Committee on Corporations.

H. B. 365, S. B. 847, bill for the relief of John J. Harty, former Sheriff of Union county. Referred to Committee on Finance.

H. R. 191, S. R. 850, resolution on adjournment. Referred to Committee on adjournment.

House amendments to S. B. 699, H. B. 718, bill to establish a criminal court for the county of New Hanover.

On motion of Mr. Short, the Senate refused to concur in the amendments, and the House was so informed.

H. B. 596, S. B. 768, bill to raise revenue, on third reading.

Mr. Scales moved to amend section 20, by inserting after the words "Medical practitioner," in the first line, the words "who has no fixed place of business in the State." Adopted

Mr. Wilson moved to amend section 22, schedule B.: Strike out "\$25" and insert "\$50." Adopted.

Bill passed its third reading, ayes 29, noes 3, as follows :  
*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Justice, Latham, Moore of Mecklenburg, Nicholson, Robins, Roberts, Scales, Stickney, Stewart, Troy, Waddell, Williams, Wilson and York—29.

*Negative*—Messrs. Dunn, Hughes and Wynne—3.

S. B. 788, bill to provide for fish culture, on second reading.

On motion of Mr. Standford it was laid on the table.

Mr. Standford moved that when the Senate adjourned it do so to meet to-night at 7½ o'clock. Prevailed.

On motion of Mr. Standford, S. B. 788, bill to provide for the fish culture was taken from the table and placed on the Calendar.

From the Committee on Judiciary :

By Mr. Wilson: S. B. 834, bill to authorize certain persons to convey and make title to certain property in Franklin, Macon county, recommending it do pass.

By consent, Mr. Dortch introduced S. B. 849, bill to repeal chapter 57 of Public Laws of 1874-'75. Placed on the Calendar.

Message from the House of Representatives, transmitting H. B. 685, S. B. 851, bill to divide the State into nine judicial districts, and for other purposes. Referred to the Committee to divide the State into Judicial Districts.

Mr. Justice assigned in place of Mr. Folk on Committee to assign powers of Judges.

On motion of Mr. Finger the Senate adjourned.

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EVENING SESSION.

SENATE CHAMBER, March 6th, 1877.

Senate met pursuant to adjournment.

Mr. Johnston in the Chair.

The unfinished business of this morning was taken up, being S. B. 788, bill to provide for fish culture and for the catching of fish, on second reading.

Mr. Coke moved to amend: Strike out sections 2, 3 and all of section 5, after the word "nor" in line 7, strike out section 6 and all of section 7 down to the word "provided" in line 7, and by inserting the following: "Every person or firm of persons fishing any seines in any of the sounds of this State over one thousand yards in length, shall pay a privilege tax of one hundred dollars, that persons fishing seines in any of the rivers of the State over three hundred yards in length (except the Chowan river) shall pay a privilege tax of fifty dollars; all persons fishing a seine on the Chowan river twenty-five miles above its mouth and less, shall pay a privilege tax of seventy-five dollars, all other persons fishing seines in said river shall pay a privilege tax of fifty dollars.



The said tax hereby imposed shall be listed as required for other taxables and shall be collected by the sheriff of the county in which such seine is fixed on the first day of May of each year."

Amend section 14 by adding at the end thereof the words "to be by them used in the construction of fish hatching establishments at the head waters of the streams fished by the seines so taxed as far as practicable."

Mr. Troy demanded the previous question upon the passage of the bill, its second reading.

Messrs. Finger and Liles gave notice of amendments.

The demand for the previous question was sustained.

Mr. Coke's amendment was adopted.

Mr. Finger's amendment to insert in line 5, section 13 after the word "around" the words "or over" and in line 14 strike out "as other fines are usually collected" and insert "by levy and sale as provided for other executions on the order of the board or their agent incurring their expenses" were adopted.

Mr. Liles amendment :

*"Provided, That section 8 of this act, shall not apply to the Pedee river or its tributaries,"* was lost.

Mr. Troy (having given previous notice of an amendment) offered the following :

At the end of section 14 as amended, add the words "and as may be necessary for a proper propagation of fish" which was accepted.

The bill then passed its second reading and was put upon its third reading.

Mr. Johnston moved to amend : Strike out all of section 5 of the printed bill. Adopted.

Mr. Coke moved to amend : Add in line 1; section 14

after the word "licenses" the words "and privilege taxes." Adopted.

Mr. Dortch moved to amend by striking out all after the words "State Treasurers" in line —. Lost.

Mr. Troy moved to amend: Strike out in line 5, section 1, all after the word "seine." Adopted.

Mr. Moore of New Hanover, moved to amend: "This act shall not apply to New Hanover and Pender counties." Lost.

Mr. Nicholson moved to amend:

*"Provided, That this bill shall not apply to the counties of Iredell, Wilkes and Alexander."* Lost.

Mr. Johnston moved to strike out all the preamble. Lost.

Mr. Holt demanded the previous question upon the passage of the bill its third reading, which was sustained.

Mr. Robinson called for the ayes and noes, which were ordered.

The bill failed to passed its third reading ayes 11, noes 28, as follows:

*Affirmative*—Messrs. Bennett, Crawford, Dortch, Finger, Graham, Heilig, Hughes, Liles, Sandifer, Standford and Wilson—11.

*Negative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Coke, Cunningham, Dockery, Dunn, Ferguson, Johnston, Justice, Latham, Mabson, Mebane of Bertie, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Stickney, Stewart, Short, Thorne and York—28.

Mr. Robinson moved to reconsider the vote by which the bill failed to pass its third reading, and moved to lay that motion on the table.

The latter motion prevailed.

Message from the House of Representatives transmitting H. B. 753, S. B. 852, bill to establish a criminal court for the county of Wake. Referred the Committee on Judiciary

Mr. Holt moved to adjourn, which was lost.

The following named bills and resolutions were acted upon as follows:

S. B. 820, bill in relation to the Superintendent of Health of the city of Wilmington, on second reading.

Bill passed its second and third readings.

Mr. Liles moved to adjourn, upon which Mr. Mebane of Bertie, called for the ayes and noes which were ordered and the Senate refused to adjourn, ayes 13, noes 21, as follows:

*Affirmative*—Messrs. Boddie, Crawford, Dortch, Heilig, Holt, Hughes, Liles, Mabson, Mebane of Bertie, Sandifer, Stanford, Thorne and Wilson—13.

*Negative*—Messrs Albright, Askew, Bennett, Bingham, Cabo, Cunningham, Dockery, Dunn, Ferguson, Finger, Graham, Johnston, Justice, Moore of New Hanover, Robins, Robinson, Roberts, Stickney, Stewart, Troy and York—21.

H. B. 410, S. B. 825, bill to incorporate the town of Seaboard, passed its second and third readings, and ordered enrolled.

Mr. Sandifer moved to adjourn. Lost.

S. B. 834, bill to authorize certain persons to convey and make title in Franklin, Macon county, passed its second and third readings.

S. B. 818, bill supplemental to and explanatory of an Act passed at the present session of the General Assembly, entitled "an Act to make all out-side and inside banks on rice plantations lying upon the Cape Fear river from ten miles above Wilmington to the mouth of the river, lawful fences, ratified February 21st, 1877, passed its second and third readings.



Mr. Bingham moved to adjourn, which was lost.

S. B. 609, bill to amend section 18, chapter 117, of Battle's Revisal, passed its second reading.

S. B. 819, bill to amend section 254, chapter 17, Battle's Revisal, passed its second and third readings.

On motion of Mr. Holt the Senate adjourned.

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## SEVENTY-EIGHTH DAY.

SENATE CHAMBER, March 7th, 1877.

Senate met.

Lieut. Governor Jarvis in the Chair.

The reading of the Journal was dispensed with.

Reports from Standing Committees were submitted as follows:

From the Committee on Corporations:

By Mr. Crawford: H. B. 384, S. B. 752, bill to incorporate Sugar Creek Presbyterian church, in the county of Mecklenburg, recommending it do pass.

From Committee on Propositions and Grievances:

By Mr. Heilig: H. B. 568, S. B. 816, bill to change the dividing line between townships in the county of Robeson recommending it do pass.

By Mr. Justice: H. B. 697, S. B. 828, bill to prevent obstructions of the passage of fish up the Tuckaseegee river, recommending it do pass;

H. B. 643, S. B. 831, bill to prevent felling of trees with-

in the high water mark of Fisher's river, recommending it do pass.

From Committee on Judiciary:

By Mr. Wilson : H. B. 753, S. B. 852, bill to establish a criminal court for the county of Wake, recommending it do pass.

From Committee on the Deaf, Dumb and Blind Asylum:

By Mr. Nicholson : H. B. 364, S. B. 687, bill to amend Battle's Revisal, chapter 1, asking to be discharged from its further consideration.

From Committee on Corporations:

By Mr. Albright: H. B. 695, S. B. 846, bill to incorporate the Roan Mountain Iron and Steel Company, recommending it do pass.

H. B. 735, S. B. 811, bill to incorporate the town of Swansboro in Onslow county, recommending it do pass.

From Committee on Propositions and Grievances:

By Mr. Dunn : H. B. 626, S. B. 898, bill to prevent the hauling of seines in the waters of Tar river, recommending it do pass with an amendment.

By Mr. Roberts : H. B. 754, S. B. 829, bill to establish a ferry in the counties of Davidson and Davie, recommending it do pass.

By Mr. Dortch : H. B. 500, S. B. 800, bill to ratify the action of the commissioners of Henderson county, recommending it do pass.

H. B. 591, S. B. 797, bill to authorize the Commissioners of Hillsboro to sell certain property, recommending it do pass.

From Committee on Corporations :

By Mr. Thorne: H. B. 484, S. B. 796, bill to incorporate the Hook and Ladder Company, No. 1, of Tarboro, recommending it do pass.

H. B. 665, S. B. 824, bill to incorporate the Wilmington

Compress and Warehouse Company, recommending it do pass.

From Committee on Deaf, Dumb and Blind Asylum:

By Mr. Latham: H. B. 576, S. B. 784, bill to provide for the support of North Carolina Institution for the Deaf, Dumb and Blind for the year 1877-'78, recommending an amendment and as amended, that it do pass.

From Committee on Corporations:

By Mr. Nicholson: H. B. 666, S. B. 808, bill to amend the charter of the town of Concord in the county of Cabarrus, recommending it do pass.

H. B. 461, S. B. 826, bill to incorporate the town of Vanceboro in the county of Craven, recommending it do pass.

From Committee on Judiciary:

By Mr. Stewart: H. B. 234, S. B. 795, bill to amend landlord and tenant act, recommending amendments and that it do pass.

From Committee on Insane Asylum:

By Mr. Standford: H. B. 724; S. B. 810, bill to indemnify Polk county for the support of a certain lunatic, recommending it do pass.

The following named bills and resolutions reported as correctly enrolled by Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State;

H. B. 249, S. B. 402, An Act to amend sections one and five, chapter one hundred and thirty eight, Laws of one thousand eight hundred and seventy three and four;

H. B. 380, S. B. 488, an Act to amend chapter 52, section 22, of Battle's Revisal;

H. B. 453, S. B. 543, an Act to protect deer between the 15th of January and 1st of September, in the counties of Stokes, Forsyth and Surry;



H. B. 593, S. B. 815, an Act to authorize the county of New Hanover, to fund its floating debt ;

S. B. 435, H. B. 333, an Act to extend the time of taking out grants from the State ;

H. B. 422, S. B. 605, an Act to incorporate Trent Lodge, No. 2, Independent Order of Mechanics of the city of Newbern, county of Craven ;

S. B. 382, H. B. 282, an Act to change the days of sale ;

H. B. 256, S. B. 234, an Act to prevent the destruction of legal notices ;

H. B. 488, S. B. 561, an Act to amend certain sections of chapter 6, Battle's Revisal in relation to the Insane Asylum at Raleigh ;

H. B. 460, S. B. 604, an Act to incorporate La Grange Lodge, No. 70. I. O. O. F., in the county of Lenoir ;

S. B. 599, H. B. 822, an Act to legalize Blowing Rock Township, in the county of Watauga ;

H. B. 207, S. B. 309, an Act to amend Battle's Revisal, chapter 104, section 26 ;

S. B. 735, H. B. 302, an Act to create a new township in the county of Greene ;

H. B. 177, S. B. 268, an Act to prevent the felling of timber in the Tennessee river, in Macon county ;

S. B. 497, H. B. 614, an Act to amend the charter of the town of Nashville, Nash county ;

S. B. 745, H. B. 812, an Act to establish two additional townships in Halifax county ;

S. B. 329, H. B. 464, an Act to repeal chapter 117 of the laws of 1874-'75.

H. B. 746, S. B. 797, an Act to establish Roseneath Township in Halifax county ;

H. B. 316, S. B. 440, an Act to incorporate New Hope Baptist Church, Cleveland county ;

H. B. 345, S. B. 259, an Act to incorporate the town of Gatesville, in the county of Gates ;

S. B. 459, H. B. 682, an Act to provide for the completion of the Western Asylum for the Insane ;

S. B. 807, H. B. 552, an Act to allow the Tax Collector of the town of Concord, in the county of Cabarrus, to collect arrears of taxes.

H. B. 324, S. B. 442, an Act to amend section 2, chapter 152, laws of 1871-'72 ;

H. B. 436, S. B. 560, an Act to authorize the Clerk of the Supreme Court to administer oaths;

H. B. 410, S. B. 825, an Act to incorporate the town of Seaboard ;

H. B. 487, S. B. 630, an Act to provide for the collection of taxes by the State, known as the Machinery Act.

Message from the House of Representatives transmitting without engrossment, H. B. 708, S. B. 857, bill to repeal an Act to regulate the taking of fish in the waters of New River, in Onslow county. Referred to the Committee on Propositions and Grievances.

H. B. 693, S. B. 858, bill to amend an Act ratified 22nd of March, 1875, entitled an Act to extend the time for the organization of certain corporations, and to change the name of the Haw River Iron Company to the Western Mining and Manufacturing Company. Referred to the Committee on Corporations.

H. B. 744, S. B. 859, bill to indemnify Lenoir county for the support of certain lunatics. Referred to the Committee on Insane Asylum.

H. B. 828, S. B. 860, bill to be entitled an Act to establish a Ferry in Davie and Davidson counties. Referred to the Committee on Corporations.

Also engrossed copies of H. B. 481, S. B. 861, bill to protect farmers of Union county. Referred to Committee on Agriculture, Mechanics and Mining.

H. B. 630, S. B. 862, bill to repeal an Act to remove obstructions in Newport river Carteret county, being chapter



99, Laws of 1874-'75. Referred to the Committee on Propositions and Grievances;

Also announcing the House had receded from the amendment of that body to S. B. 699, bill to establish a criminal court for the county of New Hanover, and had ordered the bill enrolled for ratification.

The following named bills and resolutions were introduced, read and passed first time, and were referred, or otherwise disposed of, as follows:

By Mr. Standford: S. B. 853, bill to amend the charter of the city of Wilmington. Referred to the Committee on Propositions and Grievances.

By Mr. Askew: S. B. 854, bill to incorporate the Carolina Towing and Coast Wrecking Company. Referred to the Committee on Corporations.

S. B. 855, bill to repeal chapter 151, acts of 1874-'75. Referred to the Committee on Judiciary.

By Mr. Moore of New Hanover: S. B. 850, bill in regard to the prohibition of liquor in New Hanover county. Referred to the Committee on Propositions and Grievances.

The following named bills and resolutions were acted upon as follows:

H. B. 700, S. B. 823, bill to authorize the Board of Commissioners of Yadkin County to levy a special tax, on third reading, and passed, ayes 28, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Crawford, Cunningham, Dortch, Ferguson, Heilig, Holt, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robert, Scales, Stanford, Stewart, Short, Thorne, Troy and York—28.

*Negative*—None.

H. B. 371, S. B. 832, bill to empower the Commissioners of Person county to levy a special tax, on third reading, and passed, ayes 29, noes 0, as follows:



*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Caho, Crawford, Cunningham, Ferguson, Graham, Heilig, Holt, Jonuston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Sandifer, Scales, Stickney, Stewart, Thorne, Waddell and Wilson—29.

*Negative*—None.

Bill to amend section 18, chapter 117, Battle's Revisal, on third reading.

Mr. Robins called the ayes and noes, which were ordered.

Bill failed to pass, ayes 13, noes 21; as follows :

*Affirmative*—Messrs. Askew, Bennett, Bingham, Boddie, Crawford, Graham, Heilig, Mabson, Standford, Stewart, Troy, Wilson, and York—13.

*Negative*—Messrs. Albright, Bryant, Caho, Cunningham, Dortch, Ferguson, Holt, Johnston, Justice, Latham, Liles, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Scales, Stickney, Short, Thorne and Waddell—21.

Report from Committee on Corporations :

By Mr. Nicholson : S. B. 793, bill to incorporate the Wilmington and New River Steam Navigation Company, recommending an amendment, and as amended that the bill do pass.

From the Committee on Finance :

By Mr. Graham : H. B. 326, S. B. 841, bill for the relief of George W. Willoughby, late Sheriff of Anson County, recommending it do not pass ;

S. R. 837, resolution authorizing the Treasurer to receive money from Raleigh National Bank, recommending it do pass.

H. B. 128, S. B. 840, Bill in regard to publishing county exhibits, amending chapter 27, section 13, of Battle's Revisal, without recommendations.

H. B. 365, S. B. 847, bill for the relief of John J. Harty,

former Sheriff of Union County, recommending it do not pass.

On motion of Mr. Troy, the special order was postponed until 12 M.

H. B. 685, S. B. 851, bill to divide the State into nine Judicial Districts, on second reading.

Mr. Scales moved to amend section 4 in line 4 as follows: Strike out the word "second" before "Monday" and after "Harnett" and insert in lieu thereof the word "first." In line 5 of the same section strike out the word "third" after "Moore" and insert in lieu thereof the word "second." Adopted.

Mr. Caho moved to amend the First District, adding "and Beaufort County on the 9th Monday after 4th Monday in March and September," and strike out Beaufort county from the Second District. Adopted.

Mr. Justice moved to reconsider the vote by which the amendment of Mr. Caho was adopted. Prevailed, and the amendment was lost.

Mr. Boddie moved to amend by adding "Franklin" after Granville, 4th Monday after 4th Monday in March and September.

Granville, 6th March and September;

Person, 7th March and September;

Caswell, 8th March and September;

Rockingham, 9th March and September.

Mr. Latham moved to recommit.

Mr. Cunningham demanded the previous question, which was sustained.

Mr. Boddie's amendment was lost.

Bill passed its second reading.

Bill was read third time.

Mr. Caho moved to recommit.

Mr. Cunningham moved the previous question, which was sustained.

Mr. Boddie demanded the ayes and noes, which were ordered.

Bill passed, ayes 25, noes 12, as follows :

*Affirmative*—Messrs. Albright, Bennett, Bingham, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Holt, Justice, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Scales, Standford, Stickney, Short, Troy, Waddell, Williams, Wilson and York—25.

*Negative*—Messrs. Askew, Boddie, Caho, Dunn, Heilig, Johnston, Latham, Mabson, Mebane of Bertie, Moore of New Hanover, Stewart, and Thorne—12.

Mr. Cunningham moved to reconsider the vote by which the bill passed its third reading, and to lay that motion on the table.

Mr. Williams called the previous question, which was sustained.

Motion to table was lost.

S. B. 835, bill to provide an Asylum for the colored insane of the State, on its second reading.

Mr. Stickney offered the following substitute for the bill :

“A bill to provide an Asylum for the Colored Insane :

SECTION 1. *The General Assembly of North Carolina do enact* : That the State accepts the gift proffered by the County of Edgecombe, of the Insane Asylum and hundred acres of land attached, situate in said County.

SEC. 2. That the Governor appoint a Board of Directors, seven in number, to carry into effect the provisions of this Act.

SEC. 3. That upon the organizing of said Board all the colored inmates now in the Asylum at Raleigh be removed to the Asylum in Edgecombe.

SEC. 4. That the sum of two thousand five hundred dollars (\$2,500) be appropriated to fit up the lower story



of the Asylum for the use of the insane, and to make such other improvements as may be deemed necessary.

SEC. 5. That upon the completion of said improvements the Board shall receive the insane until the whole number reaches thirty; *Provided*, they may receive a larger number should the appropriation herein made prove sufficient for their support.

SEC. 6. For the support of the inmates of the Asylum the sum of ten thousand dollars (\$10,000) (five thousand for each of the years of 1877 and 1878) is hereby appropriated.

SEC. 7. Chapter 250, Laws of 1874-'75, entitled "An Act to provide for the Colored Insane of North Carolina" is hereby repealed.

SEC. 8. This Act shall take effect from and after its ratification."

Mr. Troy moved to amend the substitute as follows: Amend by striking out all after the enacting clause, and insert:

WHEREAS, E. E. Burruss, owner of the Marine Hospital, Wilmington, N. C., (which place, by Act of 1874, chapter 250, page 338, was selected by the last General Assembly for the purpose) now tenders the use of the same to the State at a fair rent, and said building is now vacant and ready for immediate use and occupation, and it is desirable to avoid unnecessary expense and appropriation at this session; and whereas, other parties in the State are offering additional suitable places for a Colored Asylum,

*The General Aesembly of North Carolina do enact :*  
SECTION 1. That pursuant to the directions of the aforesaid Act of 1874-'5, the Governor of the State be, and he is hereby authorized, to negotiate a contract with the said Burruss, or with such other party as he may deem best, upon such terms as may seem fair and reasonable for the immediate reception and treatment of the colored insane of

the State at some suitable hospital; *Provided*, that not more than two hundred dollars *per capita* shall be paid for the care of each patient.

SEC. 2. That this Act shall be in in force from and after its ratification."

Mr. Latham demanded the previous question, upon the passage of the bill on its second reading, which was sustained.

Mr. Troy's amendment was lost.

Mr. Justice called for the ayes and noes, upon the passage of the substitute, which were ordered and the substitute was adopted, ayes 21, noes 20, as follows :

*Affirmative*—Messrs. Albright, Boddie, Bryant, Coke, Crawford, Dunn, Justice, Latham, Mabson, Mebane of Bertie, Mercer, Nicholson, Roberts, Robins, Stickney, Thorne, Waddell, Williams, Wilson, Wynne and York—21.

*Negative*—Messrs. Askew, Bennett, Bingham, Cunningham, Dortch, Finger, Graham, Heilig, Hughes Johnston, Liles, Moore of Mecklenburg, Moore of New Hanover, Robinson, Sandifer, Scales, Standford, Stewart, Short, and Troy—20.

Question recurred upon the passage of the bill on its second reading. The ayes and noes were ordered and the bill failed to pass its second reading, ayes 17, noes 24, as follows :

*Affirmative*—Messrs. Albright, Boddie, Bryant, Coke, Crawford, Dunn, Justice, Mabson, Mebane of Bertie, Roberts, Scales, Stickney, Thorne, Waddell, Williams, Wilson and Wynne—17.

*Negative*—Messrs. Askew, Bennett, Bingham, Cunningham, Dortch, Finger, Graham, Heilig, Hughes, Johnston, Latham, Liles, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Standford, Stewart, Short, Troy and York—24.

Mr. Standford moved to reconsider the vote by which the



bill failed to pass its second reading, and moved further to make that motion the special order for to-night at 7½ o'clock. Prevailed.

H. B. 576, S. B. 784, bill to provide for the support of North Carolina Institute for the Deaf, Dumb and Blind for the years 1877-'8, on second reading.

The amendments of the Committee were adopted.

Bill passed its second and third readings.

Mr. Scales reported from the Committee on Judiciary;

H. B. 450, S. B. 740, Bill to repeal section 1, chapter 200, Laws of 1874-'5, without recommendation.

On motion of Mr. Short the rules were suspended and H. B. 753, S. B. 852, bill to establish a criminal court for the county of Wake, was put upon its second reading.

Mr. Short moved to amend section 6 by striking out the words "two thousand dollars" and inserting the words: "twenty-five hundred dollars" in lieu thereof. Adopted.

Mr. Short moved to amend section 1 by striking out in the first line thereof the words, "the General Assembly shall elect" and insert in lieu thereof the words "the Judge of said Court shall appoint." Lost.

Bill passed its second reading, ayes 32, noe 4, as follows.

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Coke, Crawford, Cunningham, Dortch, Ferguson,, Finger, Heilig, Holt, Johnston, Justice, Latham, Liles,, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts,, Sandifer, Scales, Standford, Stewart, Stickney, Short, Troy,, Waddell, Williams, Wilson and York—32.

*Negative*—Messrs. Dunn, Hughes, Mebane of Bertie,, and Thorne—4.

Message from the House of Representatives:

H. R. 188, S. R. 863, resolution in favor of J. H. Standford, Chairman of Special Committee to visit Tarboro and other places.



On motion of Mr. Johnston the rules were suspended and the bill passed its second and third readings.

Also, H. B. 752, S. B. 864, bill to extend the time for the completion of certain locks and dams on the Cape Fear and Deep rivers. Referred to the Committee on Propositions and Grievances.

House amendments to S. B. 418, H. B. 348, bill to revise and consolidate the public school law.

On motion of Mr. Finger the amendment was concurred in, and the bill was ordered enrolled for ratification.

By consent, Mr. Williams introduced S. B. 865, bill supplemental to a bill to divide the State into nine Judicial Districts. Placed on the Calendar.

By consent, Mr. Bingham reported from the Committee on Judiciary S. B. 726, bill to alter the Constitution of North Carolina, recommending it do not pass.

On motion of Mr. Holt the Senate adjourned.

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EVENING SESSION.

SENATE CHAMBER, March 7th, 1877.

Senate met pursuant to adjournment.

Lieut. Governor Jarvis in the chair.

By permission Mr. Wilson introduced S. B. 876, bill supplemental to a bill to amend the charter of the town of Salem in Forsyth county.

On motion of Mr. Wilson, the rules were suspended and the bill passed its second and third readings, and was ordered to be sent to the House of Representatives without engrossment.

H. B. 450, S. B. 740, bill to repeal section 2, chapter 200 Laws of 1874-'75, passed its second and third readings.

H. B. 733, S. B. 771, bill to amend chapter 83, Battle's Revisal.

Mr. Latham moved to amend by inserting after "State" in line 6, the words "except the rivers and their tributaries emptying into the Albemarle Sound." Lost.

Bill passed its second reading.

Indefinite leave of absence was granted to Messrs. Dockery, Ferguson and Moore of New Hanover.

H. B. 666, S. B. 808, bill to amend the charter of the town of Concord in the county of Cabarrus.

On motion of Mr. Dortch, it was indefinitely postponed.

On motion of Mr. Graham, the rules were suspended to take up S. B. 821, bill supplemental to a bill to provide a suitable building for the Governor.

Substitute of the committee was adopted.

Bill passed its second and third readings.

Reports from Standing Committees were submitted as follows:

From Committee on Engrossed Bills:

By Mr. Waddell as correctly engrossed,

Senate amendment to H. B. 576, S. B. 784, a bill to provide for the support of the North Carolina Institute for the Deaf, Dumb and the Blind for the years 1877-'78.

Senate amendment to H. B. 685, S. B. 851, a bill to divide the State into nine Judicial Districts and to provide for the election of three Justices of the Supreme Court, three judges of the Superior Court and nine Solicitors

By Mr. York as correctly engrossed, S. B. 834, a bill to authorize certain persons to convey title to certain lots in the town Franklin, Macon county;

S. . 820, a bill declaratory of the meaning of an Act passed at the present session of the General Assembly, en-

titled an Act to establish Boards of Health, ratified February, 12th, 1877;

S. B. 818, a bill supplemental to an Act of the present session entitled an Act to make all outside and division bank &c., on Cape Fear river lawful fences;

S. B. 817, a bill to amend section 254, chapter 17, Battle's Revisal;

S. B. 774, a bill to provide for the appointment of Commissioners to confer with the holders of valid State bonds of the State.

Senate amendment in nature of a substitute to H. B. 696, S. B. 763, a bill to raise revenue.

Message from the House of Representatives transmitting H. R. 195, S. R. 868, resolution in regard to the Boylan lot near the Penitentiary. Referred to Committee on Penal Institutions.

H. R. 190, S. R. 867, resolution to request the judge of the Circuit Court of the United States to revoke the order appointing a receiver. Referred to Committee on Judiciary.

H. B. 557, S. B. 869, bill to amend an Act to charter the Georgia and North Carolina Railroad Company. Referred to Committee on Internal Improvements.

Also asking the return of the bill known as bill for the promotion of Agriculture.

By permission Mr. Caho introduced S. B. 870, bill supplemental to an Act to divide the State into nine Judicial Districts. Placed on the Calendar.

The special order was taken up, it being the motion of Mr. Standford to reconsider the vote by which S. B. 835, bill to provide an asylum for the colored insane of the State, failed to pass its second reading.

The question to reconsider prevailed.

Mr. Johnston moved to reconsider the vote by which the substitute of Mr. Stickney, was adopted.



The motion prevailed.

Mr. Bingham moved a substitute for the bill.

Mr. Holt demanded the previous question.

The substitute of Mr. Stickney was lost.

Question recurring upon the passage of Mr. Bingham's substitute upon which Mr. Folk asked the ayes and noes, which were ordered.

The substitute was lost, ayes, 18, noes 24, as follows:

*Affirmative*—Messrs. Albright, Askew, Bingham, Boddie, Bryant, Crawford, Finger, Folk, Hughes, Latham, Mabson, Robins, Roberts, Stickney, Thorne, Troy, Wilson and York—18.

*Negative*—Messrs. Bennett, Caho, Cunningham, Dortch, Dunn, Graham, Heilig, Holt, Johnston, Justice, Liles, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robinson, Sandifer, Scales, Stanford, Stewart, Short, Waddell, Williams and Wynne—24.

Question recurred upon the passage of the bill, its second reading.

Mr. Stickney moved to amend by striking out the additional ten thousand dollars. Adopted.

Mr. Robins called for the ayes and noes, which were ordered.

Bill passed its second reading, ayes 24, noes 19, as follows:

*Affirmative*—Messrs. Askew, Bennett, Bryant, Dortch, Dunn, Folk, Graham, Heilig, Holt, Hughes, Johnston, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Robinson, Sandifer, Scales, Stanford, Short, Williams, Wilson and Wynne—24.

*Negative*—Messrs. Albright, Bingham, Boddie, Caho, Crawford, Cunningham, Finger, Justice, Latham, Mabson, Nicholson, Robins, Roberts, Stickney, Stewart, Thorne, Troy, Waddell and York—19.

Mr. Robinson, moved to suspend the rules and put the bill on its third reading, which was lost.

By permission, Mr. Graham reported from the Committee on Judiciary,

S. B. 121, bill concerning the paupers of the State of North Carolina, reporting a substitute and recommending it do pass;

S. B. 822, bill to amend Battle's Revisal, chapter 65, section 10, recommending it do pass;

S. B. 540, bill for the protection of land and stock against idlers, recommending a substitute and that it do pass.

From Committee on Judiciary:

By Mr. Wilson: H. B. 125, S. B. 845, bill to amend chapter 9 of Battle's Revisal, recommending it do not pass.

#### SPECIAL ORDER.

S. B. 449, bill to more effectually prevent discrimination in freight tariff by railroads operating in this State.

Mr. Caho moved to amend: "The provisions of this Act shall be alike applicable to all steam boat companies operating in this State."

Mr. Troy demanded the previous question, which was sustained.

Mr. Caho's amendment was adopted

Bill failed to pass its third reading.

Mr. Robinson moved to reconsider the vote by which the bill failed to pass and moved to lay that motion on the table.

The latter motion prevailed.

S. B. 802, bill for the relief of James T. Hunter, sheriff of Alamance county.

Substitute reported by the committee was adopted.

Mr. Scales called the ayes and noes, which were ordered.

Bill failed to pass, ayes 15, noes 18, as follows :

*Affirmative*—Messrs. Albright, Askew, Caho, Cunningham, Finger, Holt, Johnston, Justice, Mebane of Rockingham, Nicholson, Robins, Boberts, Scales, Stewart, Wilson and York—16.

*Negative*—Messrs. Bingham, Dortch, Dunn, Folk, Graham, Heileig, Hughes, Latham, Mabson, Moore of Mecklenburg, Moore of New Hanover, Robinson, Sandifer, Standford, Stickney, Short, Thorne and Troy—18.

On motion of Mr. Graham, S. B. 619, bill to amend the charter of the town of Scotland Neck, was taken from the table and placed upon the Calendar.

Message from the House of Representatives, transmitting without engrossment :

H. B. 829, S. 781, bill to divide Null's Creek township in the county of Harnett. Referred to Committee on Propositions and Grievances.

Substitute for S. B. 550, bill to prohibit the sale of liquor in certain localities. Referred to Committee on Propositions and Grievances.

On motion of Mr. Finger the Senate adjourned.

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## SEVENTY-NINTH DAY.

SENATE CHAMBER, March 7th, 1877.

Senate met.

Lieut. Governor Jarvis in the Chair.

The reading of the Journal was dispensed with.



The following bills and resolutions, reported as correctly enrolled by the Committee on Enrolled Bills, were duly ratified and transmitted to the office of the Secretary of State :

H. B. 498, S. B. 739, an Act to amend chapter 44, private laws of 1874-'75, and to authorize the construction of a branch road from Haysville to Murphy ;

H. R. 188, S. R. 868, resolution in favor of Jas. D. Stanford, chairman of Special Committee to visit Tarboro, and other points, with the view to the selecting of a site for the Colored Insane Asylum ,

H. B. 700, S. B. 883, an Act to authorize the Board of Commissioners of Yadkin county to levy a special tax to pay the debt of said county, and to issue bonds to secure the payment of the debt.

H. B. 371, S. B. 832, an Act to empower the Commissioners of Person county to levy a special tax ;

S. B. 695, H. B. 813, an Act to establish Neuse River Township in the county of Wake ;

S. B. 714, H. B. 817, an Act to amend the charter of the town of Fayetteville and to regulate the election for Mayor and Commissioners ;

S. B. 866, H. B. —, an Act supplemental to an Act to amend the charter of the town of Salem, in the county of Forsyth, passed at the present session of the General Assembly of North Carolina, and ratified on the 19th day of February, one thousand eight hundred and seventy-seven.

S. B. 715, H. B. 766, an Act to incorporate Cumberland Lodge No. 5, Knights of Pythias, in the town of Fayetteville, in the county of Cumberland ;

S. B. 799, H. B. 707, an Act to amend the law relating to the town of Tarboro ;

H. B. 581, S. B. 809, an Act to authorize New Hanover county to levy a special tax ;

H. B. 627, S. B. 801, an Act to require the Treasurers

of Martin, Cherokee and Graham counties to pay orders according to numbers;

S. B. 662, H. B. 731, an Act to legalize Holden Township, in the county of Wayne and to alter the name thereof.

H. B. 685, S. B. 761, an Act to make uniform the taxation on all banks in North Carolina;

H. B. 272, S. B. 400, an Act to amend section 16, chapter 44, Battle's Revisal;

S. B. 792, H. B. 797, an Act to be entitled an Act to define the jurisdiction of the Judges of the Superior Courts in granting injunctions, and for other purposes;

S. B. 593, H. B. 679, an Act for draining wet lands.

Reports from Standing Committees were submitted as follows:

From Committee on Engrossed Bills:

By Mr. York as correctly engrossed,

H. B. 821, a bill supplemental to an Act to provide a suitable building for the Governor of the State.

S. B. 880, a bill supplemental to an Act ratified the 17th of February, 1877.

Senate amendments to H. B. 753, S. B. 852, a bill to establish a criminal court for the county of Wake.

From Committee on Military affairs:

By Mr. Justice: S. B. 830, bill for the organization of the militia, recommending it do pass.

From Joint Special Committee to confer with Governor Vance in relation to Atlantic and North Carolina Railroad.

By Mr. Robins: S. B. 782, bill in relation to the Atlantic and N. C. Railroad Company, recommending it do pass.

From Committee on Judiciary:

Ry Mr. Stewart: S. B. 517, bill to give Pamlico county representation, recommending it do not pass.

S. B. 777, bill to amend Article X of the Constitution of N. C., recommending it do not pass.

By Mr. Graham : H. R. 190, S. R. 867, resolution to request the Judge of the Circuit Court of the United States to revoke the order appointing a receiver, recommending it do pass.

From Committee on Corporations :

By Mr. Albright : H. B. 44, S. B. 813, bill to amend the charter of the town of Morganton, recommending it do pass.

From Committee on Judiciary :

By Mr. Bingham : H. B. 451, S. B. 827, bill to amend chapter 152, laws of 1874-'75, recommending it do pass.

By Mr. Ferguson : H. B. 673, S. B. 843, bill to amend chapter 104, section 41, line 2, Battle's Revisal, recommending it do pass.

From Committee on Internal Improvements :

By Mr. Johnston : H. B. 557, S. B. 869, bill to amend the charter of the Georgia and N. C. R. R. Co., recommending it do pass.

H. B. 862, S. B. 824, bill to amend chapter 242, laws of 1874-'75, recommending it do not pass.

Mr. Standford, from the Committee of Conference appointed to consider H. B. 360, S. B. 766, bill to locate a permanent seat of justice in Pender county, submitted a report recommending the Senate recede from its amendments.

Mr. Crawford moved the Senate recede, upon which Mr. Holt called the ayes and noes, which were ordered.

The motion to recede was lost, ayes 13, noes 19, as follows :

*Affirmative*—Messrs. Askew, Bingham, Boddie, Caho, Crawford, Dortch, Heilig, Justice, Latham, Scales, Standford, Stickney, and York—13.

*Negative*—Messrs. Bennett, Cunningham, Ferguson, Folk, Graham, Holt, Hughes, Johnston, Liles, Mabson,



Moore of New Hanover, Nicholson, Robins, Roberts, Stewart, Short, Thorne, Troy and Wynne—19.

On motion of Mr. Graham, the Senate insisted upon its amendments, with the following proviso added thereto:

*“Provided, That in estimating the depreciation, the actual cost of the buildings erected since the location of the county site at South Washington, and within one-half mile of the Court House, and the worth of said buildings after the removal of the county site, shall be considered the amount of the depreciation, and no depreciation in the value of land and improved lots shall be considered.”*

And a message accordingly was sent to the House of Representatives.

Mr. Cunningham introduced S. B. 872, bill for the protection of hotel and boarding house keepers, &c. Referred to Committee on Judiciary.

Message from the House of Representatives transmitting H. B. 759, S. B. 873, bill to amend the charter of the Wilmington Coast Turnpike Company. Referred to Committee on Corporations.

Engrossed amendments to S. B. 668, H. B. 742, bill to create a Department of Agriculture, &c.

Mr. Graham moved to concur.

Mr. Holt demanded the previous question, which was sustained.

Mr. Johnston moved to consider the amendments *seriatim*. Prevailed.

Amendment 1: Mr. Johnston called for the ayes and noes. Ordered.

The amendment was adopted, ayes 22, noes 11, as follows:

*Affirmative*—Messrs. Albright, Coke, Cunningham, Dunn, Graham, Heilig, Holt, Justice, Latham, Mercer,

Moore of Meeklenburg, Nicholson, Robins, Roberts, Scales, Stewart, Short, Troy, Waddell and York—22.

*Negative*—Messrs Bingham, Caho, Crawford, Ferguson, Finger, Folk, Johnston, Liles, Mebane of Bertie, Stickney and Thorne—11.

Amendments 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 were adopted.

Amendment 13 was read.

Mr. Stewart called the ayes and noes. Ordered.

Amendment was adopted, ayes 25, noes 9, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Crawford, Cunningham, Dortch, Graham, Heilig, Holt, Justice, Latham, Mebane of Rockingham, Nicholson, Robins, Robinson, Roberts, Scales, Standford, Stickney, Short, Waddell, Williams and York—25.

*Negative*—Messrs. Caho, Ferguson, Finger, Folk, Johnston, Liles, Mercer, Stewart and Troy—9.

The amendments as a whole were concurred in, and the bill was ordered enrolled for ratification.

By permission the following bills were introduced :

By Mr. Standford : S. B. 874, bill to establish an inferior court for the city of Wilmington. Referred to the Committee on Judiciary.

By Mr. Folk : S. B. 875, bill for the purchase of lands adjoining the Penitentiary. Placed on the Calendar.

By Mr. Justice : S. B. 876, bill to establish a criminal court for the counties of Franklin, Warren, Montgomery and Halifax. Referred to the Committee on the Judiciary.

By Mr. Scales : S. B. 877, bill to create a criminal court for the counties of Edgecombe, Pitt and Beaufort. Referred to the Committee on Judiciary.

By Mr. Thorne : S. B. 878, bill to protect the people of North Carolina against doctors. Referred to the Committee on Corporations.

Message from the House of Representatives :

Engrossed amendments, to S. B. 429, H. B. 679, bill to amend chapter 201 Laws of 1874-'5.

On motion the amendments were concurred in, and the bill was ordered enrolled for ratification.

Also transmitting H. B. 706, S. B. 879, bill to regulate elections. Referred to Judiciary Committee.

H. B. 666, S. B. 808, bill to amend the Charter of the town of Concord, was on motion of Mr. Justice, taken from the table and placed upon the Calendar.

Mr. Troy introduced S. B. 880, bill supplemental to an Act ratified February 17, 1877.

The rules were suspended.

Bill passed its second and third readings.

From Committee on Judiciary:

By Mr. Scales: S. B. 855, bill to repeal chapter 151 Acts of 1874-'75, recommending it do not pass.

By Mr. Folk: S. B. 874, bill to establish an inferior court in the city of Wilmington, recommending it do pass.

#### CALENDAR.

H. B. 568, S. B. 816, bill to change the dividing line between Blue Springs and Lumber Bridge townships, passed its second and third readings.

Mr. Bingham moved to reconsider the vote by which S. B. 862, bill for the relief of J. T. Hunter, Sheriff of Alamance, failed to pass its second reading last night, which prevailed.

Question recurring upon the passage of the bill on its second reading,

Mr. York demanded the previous question, which was sustained.

The ayes and noes were called and ordered.



Bill passed its second reading, ayes 24, noes 13, as follows:

*Affirmative*—Messrs Albright, Boddie, Caho, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Heilig, Holt, Johnston, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Roberts, Scales, Stanford, Stewart, Waddell, Wilson and York—24.

*Negative*—Messrs. Askew, Coke, Folk, Graham, Latham, Mebane of Bertie, Moore of New Hanover, Robinson, Short, Thorne, Troy, Williams and Wilson—13.

Bill read third time and passed.

Mr. Scales moved to reconsider the vote by which the bill passed, and moved to lay that motion on the table. The latter motion prevailed.

Indefinite leave of absence was granted to Mr. Robins, from and after to-day.

Mr. Coke introduced S. B 881, bill regulating courts in First Judicial District. Placed on the Calendar.

H. B. 724, S. B. 810, bill to indemnify Polk county for the support of a lunatic, passed its second and third readings.

H. B. 753, S. B. 852, Bill to establish a criminal court for the county of Wake.

Mr. Short moved to amend section 13 by striking out all after the word "court" in the 9th line, and by inserting the words "out of the general fund of the county" after the word "provided" in the 3rd line. Adopted.

Bill passed its third reading.

Mr. Troy moved to reconsider the vote by which the Senate concurred in the House amendment to S. B. 668, bill to establish a Department of Agriculture, Immigration and Statistics, and for other purposes, to section 24, which motion prevailed.

Mr. Troy then moved to amend the House amendment by substituting the word "act" for the word "section," which

was adopted, and thus amended, the amendment was concurred in.

Mr. Troy moved to reconsider the vote by which the Senate concurred in House amendment to section 21, to insert the word "not" in line 10 between the words "has" and "been," which prevailed.

On motion of Mr. Troy the Senate disagreed to the amendment, and the House was notified accordingly.

Message from the House of Representatives, transmitting H. R. 176, S. R. 882, resolution in relation to necessary repairs on State property. Referred to Committee on Public Buildings and Grounds.

H. B. 823, S. B. 883, bill to amend chapter 156, Laws of 1872-'3. Referred to the Committee on Corporations.

S. B. 680, bill to prevent Registers of Deeds and Superior Court Clerks from acting as attorneys. Substitute of Committee was adopted.

Bill passed its second and third readings and was sent to the House of Representatives without engrossment.

H. B. 666, S. B. 808, bill to amend the Charter of the town of Concord, passed its second and third readings.

S. B. 836, bill concerning insurance.

Mr. Short moved to amend :

*"Provided, That the tax required shall not be in addition to that prescribed in Revenue Act."* Adopted.

Bill passed its second and third readings.

Ordered to be sent to the House of Representatives without engrossment.

H. B. 695, S. B. 846, bill to incorporate the Roan Mountain Iron and Steel Company, passed its second and third readings.

S. R. 737, resolution in favor of certain marine officers and soldiers.



Substitute of Committee was adopted.

Bill passed its second and third readings and was transmitted to the House without engrossment.

S. B. 618, bill to amend the Charter of the town of Scotland Neck, passed its third reading and was transmitted to the House without engrossment.

Message from the House of Representatives, announcing that the House had refused to concur in Senate amendments to H. B. 753, S. B. 852, bill to create a criminal court for Wake county.

On motion of Mr. Cunningham the Senate receded from the amendments and the bill was ordered enrolled for ratification.

From Committee on Corporations:

By Mr. Scales: H. B. 828, S. B. 860, bill to establish a ferry in Davie and Davidson counties, recommending it do pass.

On motion of Mr. Crawford the bill was taken up and passed its second and third readings.

H. B. 759, S. B. 873, bill to amend the Charter of the Wilmington and Coast Turnpike Company, passed its second and third readings.

H. B. 754, S. B. 829, bill to establish a ferry in Davidson and Davie counties, passed its second and third readings.

S. B. 121, bill concerning paupers in the several counties of the State.

Substitute reported by the Committee on Judiciary was adopted.

Bill passed its second and third readings, and was transmitted to the House without engrossment.

S. B. 96, bill to amend section 116, chapter 32, Battle's Revisal.

Substitute of Committee was adopted.

Message from the House of Representatives announcing that they would proceed to the election of Magistrates



and had appointed Messrs. Rose and Clark of Craven as tellers.

Message was sent to the House informing that honorable body that the Senate was ready to proceed with the elections of Magistrates and had appointed Messrs. Sandifer and Coke as tellers.

Mr. Robinson, from the Joint Select Committee for the nomination of Justices of the Peace, reported as follows :

“The Joint Committee to whom was referred the nominations for Justices of the Peace for the several counties of the State, having performed their duty, respectfully recommend that the following persons be elected by the General Assembly as Justices of the Peace for the several townships in the various counties of the State. The first person named in each township shall hold for two years, the second for four years ; all the other persons named for six years.

J. L. ROBINSON,

Chairman Joint Committee.

M. H. PINNIX,

Chairman House Committee.

W. P. ROBERTS,

R. W. SANDIFER,

OCT. COKE,

H. T. HUGHES,

JOHN S. HENDERSON,

JNO. W. MORING,

JAMES WILSON.

The Clerks proceeded to read the names reported by the Committee for Justices of the Peace for the several counties.

Pending the reading, on motion of Mr. Robinson the Senate took a recess until 3.10.

3.10 P. M.

The Senate was called to order by Lieutenant Governor Jarvis, pursuant to adjournment.

The reading of the names placed in nomination for Justices of the Peace for the various counties of the State by the Joint Committee was resumed.

Upon a call of the roll, Senators Bennett, Bingham, Boddie, Coke, Cunningham, Ferguson, Heilig, Hughes, Robinson, Roberts, Sandifer, Scales, Stickney, Thorne, Wilson and York voted for the following named persons for Justices of the Peace in the various townships of the several counties of the State, the first person named in each township being voted for for the term of two years, the second for the term of four years, and the others for the term of six years, as follows, to-wit :

## ALAMANCE COUNTY.

Patterson's Township: Roddy Kimbroe, Sylvester Spoon, Jno. P. Albright.

Coble's Township: Fred Graves, E. S. Euless, J. R. Garrett.

Boon Station Township: John Wagoner, J. H. Foster, G. D. Cobb.

Morton's Township: Asa Isley, C. Brand, Robert Faucett.

Faucett Township: J. A. Graham, Albert Murry, W. A. Lee.

Pleasant Grove Township: Wm. P. Barnwell, E. C. Murry, Alvis King.

Albright's Township: Isaac Holt, Sr., D. S. Thompson, Washington Woods.

Newlin's Township: Thomas Stafford, Fowler Vestal, Wm. J. Stockard.

Thompson's Township: James Newlin, Jno. Newlin, Thomas Morrow.

Melville Township: H. W. Lashley, C. Sellers, D. W. Kerr.

Graham Township: Thomas C. Foust, Frank Isley, J. H. N. Clendenin, Wm. H. Turentine, J. L. Scott.

#### ALEXANDER COUNTY.

Miller's Township: Thomas A. Hudson, H. H. Drum, James T. W. Hedrick.

Sharpe's Township: Julius A. Beckham, A. T. Marsh, R. M. Sharpe.

Gwaltney's Township: Abraham Mayberry, Reuben O. Bunnett, Wm. C. Linney, Jr.

Sugar Loaf Township: Wesley Laws, W. S. Daniel, W. W. Gryder.

Little River Township: A. L. D. Bumgarner, Thomas Barnes, Reuben Watts

Ellendale Township: Wm. S. Teague, F. B. Rees, J. C. Bell.

Wittenburg's Township: Zack Moretz, Wm. Fry, Peter E. Echerd.

Taylorville Township: Thomas Little, Wm. J. Harrington, D. Mc. Mattherson, A. C. McIntosh.

#### ALLEGHANY COUNTY.

Cherry Lane Township: A. M. Smith, J. T. Roberts, G. W. Thompson.

Glade Creek Township: W. H. Joins, Clarke Higgins, T. C. Douglas.



Gap Civil Township: A. J. Waggoner, George McReves, C. J. Edwards, J. M. Brown.

Cranberry Township: Josiah Cordell, W B Reves, J H Daughton.

Prather's Township Claude Cox, Nathan Weaver, Horton S Reaves.

Piney Creek Township: Jno S Parsons, N H Van Hoy, Wm Halsey.

#### ANSON COUNTY.

Wadesboro Township: Henry W Ledbetter, James A Leak, Richard P Allen, Wm A Rose.

Lilesville Township: Wm T Williams, Wm T Smith, James B Lindsey, W J Cornwall.

Morven Township: Jno J Dunlap, Vincent Parsons, Wm E Smith.

Gulledge's Township: Thos J Hardison, John Robinson, W Dorsey Webb.

White's Store Township: Francis Crowder, Jas F Redfearn, Edmond D Gaddy.

Lanesboro Township: Isaac M Williams, Harvey T Knotts, Vernon Allen, James G Branch.

Burnsville Township: Columbus C Braswell, Hosea P Meggs, Francis M Thomas.

#### ASHE COUNTY.

Jefferson Township: Jacob Graybill, R P Coldiron, G H Hamilton, J P Waugh.

Old Fields Township Thomas Ray, R F Hardin, Silas Morphew.

Pine Swamp Township: Thos S Bouchelle, A. D. Coles, E E Phillips.

Peak Creek Township: W B Carson, Lafayette Benizer, G W Woodie.

Chesnut Hill Township: J C Plummer, J H Carson, J B McMillan.

Hilton Township: Wm Jones, Poindexter Blevins, S Pennington.

Piney Creek Township. Pat Graham, Jas Eller, Jas M Grimsley.

Horse Creek Township: Isham Gass, James Greer, Jack Ham.

Stagg Creek Township: David Sutherland, Peter Ashley, Gideon Weaver.

Laurell Township: John Pennington, B H Neal, David Worth.

North Fork Township: Jno J Brown, Jos Johnson, Wm Knight.

#### BEAUFORT COUNTY.

Pantego Township: Ira H Topping, Augustus Latham, Sr., Reuben Allen.

Bath Township: Wm O Respass, J F Crawley, B F Godley, A W Satterthwaite.

Long Acre Township: Thomas Isiah Waters, Marshal Congleton, O H P Tankard.

Washington Township: J. C. Buchanan, B F Havens, Wm B Campbell, R T Hodges, R W Horton, Josephus Peed.

Chocawinity Township: David Gaskill, Wm H Patrick, Wm H Buck.

Richland Township: Edward Tuthill, B F Mayhew, W A Thompson.

## BERTIE COUNTY.

Windsor Township: D. L. Cale, C. T. Harden, Peter Roscoe, Moses Gilliam.

Mary Hill Township: Giles Donald, J. C. Freeman, J. B. Martin.

Mitchels Township: Starkin Cowand, Abram Jenkins, J. W. Mitchel.

Roxabell Township: Henry Parker, W. J. Capehart, W. J. Bishop.

Woodville Township: Watson Lewis, Thomas W Thompson, J. S Griffin.

White's Township: Mark Law, Simon T Hughes, J Thomas Rayner.

Snakebite Township: W J Cherry, B F King, Jr., Robt R Taylor.

Coleraine Township: J Wesley Greene, Wiley D Hayes, Alpheus Nowell, David A Watford.

## BLADEN COUNTY.

Elizabeth Township: John Shaw, Taylor John ston, J W Clark, B F Renalder.

Bethel Township: G T Allen, C W Lyon, W H White.

Haller Township: E W Esters, W O Robinson, J W Pendil.

Bladenboro Township: David Hester, C W Williams, C O Mercer.

Abbotisburg's Township: J H Thompson, R J McEwin, Isaac H Smith.

Brown Marsh Township: James M. Pearce, Jno N Kelley, A K Cromartie.

White's Creek Township. Rufus Register, Daniel J Clarke W T Clarke.



Carver's Creek Township : T O Brown, J C Daniel, A H Perril.

French's Creek Township : Austin Allen, Jno. T. Croom, Jno. M Johnson.

Colley Township : Jno Murphy, R M Jessup, C T Parker.

Turnbull Township : J C Melvin, R M Taton, Jno S Melvin.

White Oak Township : C Martin, Jno T Council, R B Cain.

#### BRUNSWICK COUNTY.

North West Township : Jno C Rowell, Samuel R Chin-  
nis, Dickson McRae.

Town Creek Township : Jno B Evans, Dan'l R Walker,  
Jno D. Taylor.

Smithville Township : Daniel Mercer, Thomas M Wil-  
liams, Robt W Woodsides, Philip, Prioleau.

Lockwood Folly Township : Jessie Lancaster, Rufus D  
Hewitt, Washington Holden.

Shallott Township : Peter Rourk, John H Brooks, Thos.  
Hickman.

Waccamaw Township : W Scott Milliken, Noah, B Ben-  
nett, B Lewis Butler.

#### BUNCOMBE COUNTY.

Avery's Creek Township No. 1 : Marion S. Glenn, P J  
Israel, Richard Ledbetter.

No 2 Joshua R Jones, W H Moore, Jesse W Morgan.

No 3 S F Young, Elijah Morgan, George W Howell

No 4 George W Hampton, Fideha Sluder, Sr., J E  
Rogers, Jno B Clayton.

No 5 John W Wells, E J Worly, Thomas J Ferguson.

No 6 W J Alexander, J L Murray, R C Clayton.

No 7 Bedford Sherill, Jason Ashworth, Thomas J Young.

No 8 William Y Porter, George N Alexander, Robt. C Patton.

No 9 N A Penland, John M Ledford, C B Way, A J Butler, Albert, T Summey, I B Sawyer.

No 10 James Sawyer, Wm R Baird, Wm M Weaver, Chas A Nichols.

No 11 Wm C Eller, Robt V Blackstock, W B Smith.

No 12 Jno B Morgan, Hiram S Carson, Harvey P Buckner.

#### BURKE COUNTY.

Silver Creek Township : Jno F Ehley, David J Hennessee, Wm N Thompson.

Linville Township : Jos B Hunter, Robt M Kincaid, Joshua Gibbs.

Upper Creek Township : J Monroe Kincaid, Jno Nance, Israel P Beck.

Quaker Meadows Township : J Sidney Flemming, E Fletcher Walker, Calvin Houk.

Lower Creek Township: Jno Sims, W S Sudderth, Ashbury Puett.

Lovelady Township : Jno Rector, Julius Huffman, J W Berry, J P Shields, (Excelsior Town.)

Icard Township : W R Aiken, W Arnold Wilson, L F Warlick.

Lower Fork Township : P P Mull, Reiley Tallent, Amos Huffman.

Upper Fork Township : J W Carswell, Jonas Bamsey, Dr F Denton.

Morganton Township : E M Terree, Jesse H Howard, Wm E Powe, George P Erwin.

## CABARRUS COUNTY.

Township No 1: F A Archibald, H B Parks, J M W Alexander.

No 2: Theophilus Cannon, J B Harris, John H Morrison.

No 3: E G Irwin, T A Fleming, E L Bell.

No 4: W H Winecoff, C M Goodnight, Peter Glass.

No 5: Wm R Blackwelder, Van Walter, Joseph Meisenheimer, jr.

No 6: Lawrence Klutts, John Faggart, George E Ritchie.

No 7: John H Moose, Salomon Dry, Moses Peck.

No 8: Daniel Bangle, Titus Moser, E D Barringer, H. L McAlister.

No 9: Martin Widenhouse, jr, W H Orchard, Felix A Klutts.

No 10: Daniel Boger, J A Hartsell, Julius Klutts.

No 11: C E Sides, Jacob Dove, R P Isenhour.

No. 12: W A Patterson, James Brown, W J Hill, J S Fisher, C G Montgomery.

## CALDWELL COUNTY.

Lenoir Township: David Hood, A J Corpening, N A Miller, Pleasant Moore.

Lower Creek Township: John G Ballew, Geo W Sherrill, Thos S Hoover.

Lovelady Township: Harvey Aberneathy, Calvin Jones, J A Bush.

Little River Township: Thos Sherrill, Isaac Oxford, Elkanah Flowers.

King's Creek Township: Thos Barnett, Jas M Isbell, Allen Laxton.



Buffalo Township: Samuel Patterson, D E Bower, Edmund Jones.

Patterson Township: Robert Holloway, Patterson Coffey, N H Gwyn.

Globe Township: Lott Estes, Judson Moore, J N Corpening.

John's River Township: H W Coffey, Allison Pickens, J N Harshaw.

#### CAMDEN COUNTY.

Shiloh Township: G C Barco, Joseph D Berry, L B Sanderlin.

Court House Township: T B Boushal, Henry W Scott, Thos Palmer.

South Mills Township: Wm C Pearce, John C Tatem Peter C Pearce.

#### CARTERET COUNTY.

Township No 1: Benjamin Taylor, John W Sanders, Jeremiah Watson.

No 2: M F Arrendell L T Oglesby, T C Davis, W S Bell, sr.

No. 3: Daniel Quinn, William Hardesley, Joshua T Dennis.

No 4: W F Howland, William Alexander, John B Russell

No 5: J F. Wade, D S Guthrie, Cull Pigott.

No 6: Whittington Davis, L W Styron, W L Lewis.

No 7: Wallace H Styron, George W Smith, John L Goodwin.

No 8: Thomas Robinson, Benjamin R Dixon, Robert Wallace

## CASWELL COUNTY.

Milton Township: John L Staton, Nat M Richmond,  
A L Bell. John L Irvine.

Dan River Township: John Carter, Win L Harraway,  
Samuel B Cobb.

Pelham Township: W H Gatewood, W B Swann, John  
D Kessee.

Locust Hill Township: Howard A Cobb, Stephen Neal.  
G J Farrish.

Yanceyville Township: Monroe Oliver, H F Brandon,  
Jos C Pinnix.

Leasburg Township: Edward W Lea, A B Newman,  
Jas P Williams.

Hightower Township: John A Johnson, F L Warren,  
Jerry Smith.

Anderson's Township: W H Stainback, John S Miles,  
John B Alred.

Stony Creek Township: Wagstaff Maynard, Richard  
Miles Geo W Pinnix.

## CATAWBA COUNTY.

Newton Township: Babel Whitner, Logan Smyer, Caleb  
W Herman, Hiram A Forney, Peter F Smith.

Clive's Township: Q M Smith, Calvin Sigman, K P  
Little.

Hamilton's Township: Moses Trollinger, Simeon C Brown,  
Logan N Wilson, W G James.

Mountain Creek Township: A D Shuford, Alexander  
Clark, M M Gabriel.

Caldwell's Township: Rufus England, Jacob M Wilkin-  
son, W A Huit.

Jacob's Fork Township: Philip Burns, Geo M Yoder,  
A G Corpening.

Bandy's Township: Elkanah Ramsour, N F Hull, Jacob Mosteller.

Hickory Township: Moses Alberneathy, A. L. Shuford, Abel Whitner, J H Bruns.

#### CHATHAM COUNTY.

Albright's Township: Wm O Kirkman, W B Carter, W A Lineberry.

Baldwin's Township: I B West, T B Farrar, A S Wilson.

Bear Creek Township: S W Brewer, Jno W Calder, Jas I Lane.

Cape Fear Township: J E Bryan, A J Bynum, J H Mimms, Jno W Scott, (town of Haywood.)

Centre Township: Benjamin G Womble, J F Mann, Wm T Petty, Jno A Womack, (town of Pittsboro )

Hadley's Township: Oliver Clarke, J E Perry, W T. Dorsett.

Matthew's Township: Merritt Rosson, J A Gilliland, J A Houston.

Hicory Mt Township: N B Dunlap, Jas B Guthrie, Jno A Pugh.

Gulf Township: Jno F Ansley, J F Rivers, R L Jenkins.

Oakland Township: Jno A Pattishall J<sup>es</sup> W McPherson, E L Tyser.

New Hope Township: Jas R Thomas, Alvin Wilson, J D. Brazington.

Williams Township: Jno M Burnett, E W Atwater, C R Scott.



## CHEROKEE COUNTY.

Murphy Township: R D McCombs, S W Davidson  
Pinkney Abbernathy, W J A Strange, Ancil Rogers.

Valley town Township: Henry Moss, J W King, Joseph  
T Young.

Beaver Dam Township: C C Berry, Wm Dockery, A J  
Evans.

Shoal Creek Township: Jasper Burnett, W B Nelson,  
Wm Bryant.

Hot House Township: J R Hyatt, J B Fain, Wm Wat-  
son.

Notla Township: Robt Bruce, Jno S Hatchett, Daniel  
K Moore.

## CHOWAN COUNTY.

Edenton Township: Moses Hobbs, Isaac Smith, W H  
Bonner, J H Garrett, J R B Hathaway.

Yeopin Township: W J Webb, P M Warren, John  
Roberts.

Middle Township: E J Burke, W P Jones, John A  
Bunch.

Upper Township: Jacob K Hudson, W T Woodley, G  
T Rountree.

## CLAY COUNTY.

Hayesville Township: T H Hancock, G M Fleming, A  
J Curtis.

Brass Town Township: James M Bell, G C Norton, Wm  
F. Plott.

Hiwassee Township: James K Kirby, Wm H Hogshead  
W P Crawford.

Tusquitte Township: P H Nigers, Wm H Johnson, Jas M Alexander.

Shooting Creek Township. J Ned Kitchens, J B Reynolds, M C Birch.

#### CLEVELAND COUNTY.

Township No 1: Draton Heton, J F Ray, L C Lemmons.

No 2: W H Greene, O W Holland, Henopen Blanton.

No 3: S D Randall, J A Roberts, Allen Bettis.

No 4: A V Falls, D J Aardin, S H Anthony, L M Logan.

No 5: Adison Oates, J Riley Moss, P B Harman.

No. 6: F L Hoke, D D Suttle, W P Love, M N Gold, Samuel Wilson.

No 7: S P Magness, J H Ream, A J Ervin.

No 8: D. D. Lattimore, R G Wells, F Y Hicks.

No 9: Andrew Beam, J E Rollins, Samuel Elam, R W Falls.

No 10: J. Z Falls, Jr., Jno Cooke, Sr., J A Mull.

No 11: Tilford Price, A C Whisnant, W H Hull.

#### COLUMBUS COUNTY.

Ransom Township: Z E Murrell, D C Allen, D S Cowan.

Lake Wacamaw Township: J A Clark, Milton Campbell, H B Short, Jr.

Bogne Township: Thomas Barefoot, J P Pearce, A G Smith

Welches Township: A J Troy, S W Smith, J W Rouse, Sr.

Whiteville Township: L J Yeates, L W Stanly, C D Baldwin, J C Pridgen.

Western Prong Township : Leonard Jordan, J E Powell, M W Pridgen.

Tatums Township : Laban Williamson, W W Brown, jr, J C Lennon.

Fair Bluff Township : Dempsey Coleman, Burwell Smith, W H Vann, J J Buffkin, B T Barden.

Williams Township : Jackson Powell, M M Harrelson, J P Stanley.

Bug Hill Township : J J C Gore, E W Fowler, Jesse S Cox.

Lee's Township : J J Long, J W Gore, C C Gore.

#### CRAVEN COUNTY.

Township No 1 : James L Murphy, Chas H Stubbs, Wm H Ellison.

No 2 : Willis D Pettipher, Samuel W Latham, James A Ernul.

No 5 : Edward A Carraway, Chas H Edwards, Geo H Grover.

No 6 : James H Hunter, Edward Bull, Thomas H Morrison.

No 7 : Jesse Brooks, Council Hardison, Wm Foy.

No 8 : Edward Street, Enoch Wadsworth, E R Dudley, Thomas Stanley, (Newbern) E G Hill, Wm Hay, Wm G Brinson, Alexander Bass, James Campbell, James A Bryan.

No 9 : James W Boddle, C L Wetherington, Cicero Green.

#### CUMBERLAND COUNTY.

Seventy-First Township : John A McPherson, Duncan Shaw, Duncan Gillis.



Rockfish Township: Malcom McInnis, J W Emmitt, Benjamin Morgan.

Gray's Creek Township: Jesse B Carver, Neill McQueen, Wm Alderman.

Quewhiffle Township: John McRae, Peter Monroe, J C Currie.

Cross Creek Township: D G McRae, A M Campbell, Daniel M McDonald, W. D. McDuffie, John C Poe, Thos J Powers, John L Allen, Charles K Hall, Edward, P Powers.

Little River Township: Alex McNeil, A A Johnson, John McLeod.

Cedar Creek Township: W B Draughton, Kelly Sessoms, Thos G Hall.

Flea Hill Township: Arthur A Williford, W J Sessoms, Thos W Devane.

Black River Township; A D McNeil, Isaac W Godwin, H L Hall.

Beaver Dam Township: Maurace Hall, Jas M Jessup, David S Ballard.

Carver's Creek Township: W R King, Chas D Nixon, Gray Culbreth.

#### CURRITUCK COUNTY.

Moyock Township: Edward Holt, Hillory Simmons, Thos Sanderlin.

Crawford Township: H B Ansill, S P Wilson, W H Cowell

Fruitville Township: Cornelius Jones, A Smith, Henry White.

Poplar Branch: G A Griggs, G G Gallop, J M Woodhouse.

Atlantic Township: H W Scarborough, R F Tillett, John Morse.

## DARE COUNTY.

Hatteras Township: David N Basnight, Nasa S Williams, Redding R Quidley.

Kennekeet and Chickamacomeco Township: Cyrus K Hooper, Israel Midgett, Ignatius Scarborough.

Nag's Head and Roanoke Township: Daniel Austin, J B Etheridge, Isaac C Meekins.

Croatan and Stumpy Point Township: Thos R Mann, Richard Hooper, Edward Mann.

East Lake Township: Thomas Owens, Wm H Basnight, Thos M Sandlin

## DAVIDSON COUNTY.

Lexington Township: James Smith, Henry L Link, Bennett Nooe, Joseph H Leonard.

Cotton Grove Township: J H Miller, William Hicks, A J Owen.

Boon Township: A G Boggs, G F Smith, W D Meacham.

Tyro Township: John H Koonts, F M Thompson, H H Hartley.

Yadkin Township: C C Byerly, D L Michael, J S Delapp, Gaither Walser.

Clemmons ville Township: J Walker, W B Hampton, S S Jones.

Arcadia Township: J H Miller, G W Burke, Elisha Raper.

Midway Township: B F Beckerdite, Hugh Lindsay, Solomon Mock.

Abbott's Creek: N B Orrell, Jacob Yokeley, J Madison Raper.

Thomasville Township: Isham Reagans, Alex Conrad,

J R Keen. A H Kindell.

Imbler's Township: H C Hedrick, S B Lore, E P May.

Silver Hill Township: Abram Cross, Willie Crouse, Levi Hedrick.

Emmons Township: A Peacock, Daniel Ward, John Plummer.

Jackson Hill Township: Louis Surratt, A Newsom, J C Skeen.

Alleghany Township: John G Surratt, Stephen Bailey, W H Badgett.

Herring Springs Township: C K Holmes, J M Daniels, W P Redwine.

#### DAVIE COUNTY.

Mocksville Township: Chesire Sain, W F McMahon, Jas L Adams, Braxton Bailey.

Jerusalem Township: Samuel Tatum, J C Foard, A T Grant.

Fulton Township: S J Hanes, H E Robertson, J R Williams.

Farmington Township: Jas N Brock, W Kelley Gibbs, G W Johnson.

Clarksville Township: Geo W Bailey, P H Cain, Isaac H Roberts.

Calahan Township: W H Devault, Deal Ijams, Chas Anderson.

#### DUPLIN COUNTY.

Kenansville Township: B F Percell, J E Mathews, G W Carroll, P S Watson.

Limestone Township: E W Farior, Wm Sardlin, Geo. L Smith.



Cypress Creek Township : Raiford Lanier, Nicaner James Amos Lanier.

Island Creek Township : D W Bland, J E Pigford, J F Wallace, J E Fussell, W J Bonev, T W Boney.

Rockfish Township : D S Williams, J J Ward, R O Johnson.

Magnola Township : O J Carroll, J D Usher, J W Taylor.

Warsaw Township : D G Morrissey, W' H Winders, T B Pierce, Daniel Bowden.

Faison's Township : M A Lewis, J B Oliver, Matthew Moore, A D Hicks.

Wolferape Township : B H Walker, Thadeous Jones, Joel Loftin.

Albertson Township : W H Grady, J E Kornegay, Jno Maxwell.

Dails Township : E B Herring, Louis Herring, Peter Kornegay.

Smith's Township : John G Smith, J R Miller, G L Swinson.

#### EDGECOMBE COUNTY.

Township No 1 : Geo Mathewson, James M Spraggins, Wm M Pippin, Jos B Coffield, Wm S Clarke.

No 2 : Frank W Whitted, Jno M Jenkins, Jno L Cobb.

No 3 : James W Howard, Thos L Mayo, Wm G Turner.

No 4 : Eli Howell, Rich'd H Gatlin, Dempsey B Batts.

No 5 : Henry L Leggett, Henry S Bunn, Jordan W Johnson.

No 6 : Jno M Cutchen, Marcus J Battle, Wm F Lewis, Joseph H Cutchen.

No 7: David H Barlow, James K Lawrence, Joseph J Battle, Wm H Whitehead.

No 8: Frank Dew, Charles L Vines, Leonidas Little, J E Porter.

No 9: Richard J Johnson, Elisha Harrell, R W Atkinson.

No 10: F Wanston, J I Lewis, Elward P Sharpe.

No 11: Wm H Knight, Spencer L Hart, Jesse J Garrett.

No 12: Charles L Killebrew, Henry G Worsley, James H Chapman, George W Hammond.

No 13: Patrick H Edge, Solomon T Cherry, Bennett P Jenkins.

No 14: David Williams, Wells Dawes, Wm E Bradley.

#### FRANKLIN COUNTY.

Louisburg Township: J A May, G G Gill, B T Ballard, P J Brown.

Franklinton Township: Norman Terry, Jno Perry, A S Gill, W H Mitchell.

Freeman's Township: Thomas J Crocker, D W Spivey, L W Joyner, W K Martin, jr.

Hayesville Township: N H. Murphy, Eugene F Cooke, J J Jones.

Goldmine Township: A M Hamlette, A D Williams, Jeshua Perry.

Cedar Rock Township: A Thomas W O Lankford, R E Collins.

Cypress Creek Township: James M White, Geo W Harris, W A Moore.

Dunn's Township: W K Phillips, F P Pearce, W S Harris

Harris Township: B F Wilder, A J P Harriss, W R Bridgers.

FORSYTHE COUNTY.

Winston Township: Augustus Fogle, R D McCouston, Jno Masten, Martin Grogan, Thos T Best, Walter B Johnson, R L Patterson, John W Fries.

South Fork Township: Theophilus Kimel, W L Swaim, Jno Boyer.

Old Town Township: Jno A Styers, Calvin H Hauser, Henderson Cox.

Broad Bay Township: P E Light, Chas Rothrock, Jno C Smith.

Abbott's Creek Township: Jno H Chamberlain, Clayton Snider, James Motsinger.

Middle Fork Township: Wm A Lowry, Calvin Crews, Peyton A Cox.

Kernersville Township: J H Morris, Geo W Wilson, A H S Beard, Wm G Kerner.

Belew's Creek Township: D S Ham, Fuel Fulton, Romulus S Linville.

Salem Chapel Township: Thomas M Marshall, Henry Marshall, T J Valentine.

Bethania Township: Abram P Styers, Jno N Anderson, Nathaniel F Sullivan.

Old Richmond Township: Elijah Reed, Thomas Moser, Washington Payne.

Vienna Township: Henry R Lehman, Brantley Hendrix, Alex Transon.

Lewisville Township: Coston E Harper, Jonah P Brinkley, L C Laugenour.



## GASTON COUNTY.

Cherryville Township: W O Harreldson, Jno T Carpenter, Jacob Kiser, Henry Summet.

Dallas Township: Caleb Pasom, Marion D Friday, F W Thompson, Miles Weathers.

River Bend Township: A P Rhyne, James Abernathy, W G Rutledge.

South Point Township: Jno F Leeper, J G. Gulick, J M Lineberger.

Crowder's Mountain Township: B G Bradley, J M Whiteside, R W Garret, Thomas Chalk,

## GATES COUNTY.

Gatesville Township: John Brady, R H Riddick, Arthur Wiley, Rufus Riddick.

Hall Township—Elisha Parker, M C Lawrence, M H Eure.

Reynoldson Township: Hillory Willey, John J Gatling, W M Daughtrey.

Haslett Township: W H Riddick, Wm Boothe, Wiley Wiggins.

Holly Grove Township: W H Polson, Elisha Williams, Thos Parker.

Hunter's Mill Township: Riddick Hofer, Wm Smith, John Alpine.

Mintonsville Township: Jesse R Key, Jas A Roberts, Jas F Bond.

## GRAHAM COUNTY.

Cheoah Township: N G Phillips, N W Rice, Devaney Parker, W B Wiggins.

Stecoah Township: John Sawyer, David E Hyde, Jas Carver.

#### GRANVILLE COUNTY.

Henderson Township: H C Crosby, Harvel Harris, E G Brodie, S S Cooper.

Kittrell's Township: Erastus Powell, Baldy A Capeheart, Wm M Blackwell.

Brassfield Township: Samuel H Kennedy, Clinton M Rogers, Robt Garner.

Dutchville Township: Wm T Mitchell, John B Green, Frank M Tilley.

Walnut Grove Township: W T Lyon, Wm Daniel, Jas M Satterwhite

Sassafras Fork Township: Wilkin Stovall, Walter Pattillo, Wm M Tanner.

Townesville Township: J Herbert Taylor, J W Heartt, W M Sneed.

Oxford Township: J K Wood, H T Hodges, L A Paschall, A C Parham, S A Gregory.

Tally Ho Township: Arthur T Carrington, W H Smith, J H Webb.

#### GREENE COUNTY.

Snow Hill Township: W J Taylor, James W Taylor Henry H Best, D A Sugg (Snow Hill town).

Hookerton Township: W L Edwards, Jas J Moore, T E Hooker, John J Edwards (Mookerton town).

Speight's Bridge Township: J B Faircloth, R C D Beaman Wm A Darden.

Olds' Township: Wm T Dixon John R Dixon, James A Edwards.

Bulldoze Township: Wm McKeel, John G Britt, Robt W Taylor, Geo W Lane (Contentnea town).

GUILFORD COUNTY.

Washington Township: Alex Tickell, John Cobb, Jas J Busick.

Rock Creek Township: Geo W Clapp, Daniel P Foust, Caleb A Boon, L F Smith (Gibsonville).

Green Township: W M Kine, W M Thompson, Peter C Smith.

Madison Township: Robt C Rankin, Mebane Apple, Isaac Thacker.

Jefferson Township: W T Thorn, Joel H Gilmer, Jos A McLean.

Clay Township: Newton D Woody, Jos W Gilmer, John C Hunter.

Monroe Township: J W McMichael, Frank G Chilcutt, W H Rawkin.

Gilmer Township: John A Pritchett, John L Hendrix, Jss M Ward, A. P Eckel, W A Horney.

Fentress Township: John M Fentress, Allen H Scott, Wm D Hardin.

Centre Grove Township: Wm E Bevill, John W Winchester, Pinkney Wall.

Morehead Township: A Dilworth, George Donnell, Hiram C Worth, Wm J Love, W E Edwards.

Summer Township: Stephen Hodgin, F S Davis, Wm E Kirkman.

Bruces Township: Thos Rhodes, John L Ogburn, Thos Case.

Friendship Township: A H Lindsay, W N Armfield, Thos E Cook.

Jamestown Township: Jesse Gardner, J A Gray, Jos L Ragsdale.



Deep River Township: B F Smith, L F Davis, Jos A Davis.

High Point Township: Henry Clapp, David Jordan Cyrus J Wheeler, Robt J Bell, W H Ragan.

Oak Ridge Township: W O Donnell, Jesse Benbow, Chas Case.

#### HALIFAX COUNTY.

Halifax Township: B F Gary, J O'Brien, H J Carraway, A Garibaldi.

Caledonia Township: J A White, R H Smith, jr, Alfred White, W H Shields.

Palmyra Township: B J Alsbrook, E P Hyman, Shepherd R Spruill.

Roseneath Township Edward Whitehead, W T Whitehead, M T Savage.

Conoconarie Township: John A Norfleet, J R Tillery, W E Aaron.

Weldon Township: W A Daniel, Aaron Prescott, R E Mosely, Joseph T Evans.

Enfield Township: J T Reynolds, E P Powell, D C Clarke, J J Robertson.

Littleton Township: W A Johnson, Sterling Johnson, N E Jenkins, B R Rrowning.

Butterwood Township: E A Thorne, W L Perkins, David Clarke.

Brinkleyville Township: F M Parker, J P Leach, F M Garrett, S S Norman.

Faucett's Township: W W Brickell, E D Dickens, Richard Brinkley.

## HARNETT COUNTY.

Johnsonville Township: A C Buie, Duncan Morrison, Robt C Belden.

Barbecue Township: Jas Cameron, Sr, Nivin Ray, Jno Harrington.

Upper River Township: Jas S Harrington, Daniel C McLean, Neil Clarke.

Lillington Township: T D Watson, H C McNeill, Wm H Bethune, S D Pipkin.

Averasboro Township: A B Godwin, Jno G Hodges, Neil S Stewart.

Grove Township: J N Gregory, J D Ryals, A J Turlington.

Neill's Creek Township: W J Long, Thomas Matthews, Wm Pierson.

Hector Creek Township: Benj Garduer, D E Green, C H Coffield.

Buck Horn Township: Jesse Morgan, Eli Carter, Geo W Pegram.

Stewart's Creek Township: Hugh M McDonald, Jno W Howard, Duncan J Parker.

## HAYWOOD COUNTY.

Waynesville Township No 1: J F Murry, C L Smathers, Jno Turpin, Jno A Ferguson.

No 2: Fidel Howell, James Cody, Jno G Burnett.

No 5: T B Edmundson, Wm S Evans, David Vance.

No 4: Jos Christopher, J B Mease, Jas Osborne.

No 5: E R Ferguson, S Walker, G W McCracken.

No 6: T S Gillett, Z T Ferguson, W M Rhea.

No 7: Parker Hopkins, G L Palmer, J F Owens.

No 8: J M Rice, Jno Boyd, Erastus Howell.

No 9: W G B Garrett, R H Plott, Jno Rich.

#### HENDERSON COUNTY.

Hendersonville Township: A M McConnell, A Cannon, Alex Henry, M M Patton, (Hendersonville.)

Edneyville Township: R A Freeman, Benjamin Williams, Rufus Edney.

Blue Ridge Township: Thos Blackwell, S B O McCall, Samuel King.

Green River Township: H K Place, W H Ward, Benj F Possy.

Clear Creek Township: A J McMinn, Wm K Ledbetter, Matthew A Love.

Hooper Creek Township: A E Fletcher, G B Johnson, J R Byers.

Crab Creek Township: Geo Sentle, J W Anderson, Jno Capps.

Mill's River Township: E F Case, R W Allen, Thomas Murray.

#### HERTFORD COUNTY.

Winton Township: Chas N Pruden, King Parker, Jos B Slaughter, Jno W Faison.

Harrellsville Township: Jas P Harwell, Sam'l L Armuck, Norman L Shaw.

St John's Township: Julian J Moore. Jas F Wynne, Wm D Holleman.

Manning's Neck Township: Sam D Winborne, Jas E Everitt, Geo V Cowper.

Murtreesboro Township: W T Browne, Chas Vaughan, Orris Parker, Goodman D Parker, Jarrett N Harrell.



## HYDE COUNTY.

Ocracoke Township: Benj Garrish, Benj Styron, Daniel Tolston.

Lake Landing Township: W S Cox, James M Benson, Daniel G Sadler, Israel B Watson, A B Tunnell.

Swan Quarter Township: Seth B Harriss, sr, Jos M Watson, Nathaniel C Williams.

Currituck Township: Dan'l Burgess, Sam L Snell, Jeremiah Selby, Henry W Wahab.

Fairfield Township: Jno G Harris, Thomas H B Gibbs, J Columbus Simmons.

## IREDELL COUNTY.

1. Eagle Mills Township: T N Cooper, E. W Joyner, Wm J Colvett.

2. Union Grove Township: W J Templeton, Jas Holmes, L V Cantwell.

3. New Hope Township: O G Williams, A G Myers, Thos Rodman.

4. Turnersburg Township: J M Godby, J M Holmes, J M Turner.

5. Oliver Township: F J Allison, R L Weaver, H A Mowbray.

6. Sharpesburg Township: A A Hines, R T Campbell, A P Sharpe.

7. Cool Springs Township: G F Shepherd, C W Kestler, Henry Turner.

8. Bethany Township: J F Long, J C Turner, A P Murdoch.

9. Concord Township: Abner Morrison, J H Schroggs, R A Stone.

10. Chambersburg Township: J A White, J D Click, J F Dotson.

11. Statesville Township: Jno Bradley, T M C Davidson, E B Stinson, M F Freeland.

12. Shiloh Township: Peter Little, H B Summers, J M Alexander.

13. Barringer Township: J W Sanders, C L Shinne, W C Mills.

14. Falls Town Township: A P Clarke, J M Patterson, R J Willis.

15. Coddle Creek Township: J L Harriss, R A Alexander, A M Walker, Isaac Harris.

16. Davidson Township: J M Shook, J B Cornelius, J W A Kerr, E W Putman.

#### JACKSON COUNTY.

Cashier's Valley Township: Ransom Rice, John Halley, L M Dillard.

Hamburg Township: Jno Steward, jr, Alfred Wilson, jr, David Norton.

Saul's Creek Township: J A Galloway, James Cathey, Thos Bryson.

Caney Fork Township: R H Stephenson, W M Hooper, sr, Alfred Brown.

Fork of the River Township: McHooper, Woodford M Zachary, S P C Shelton.

Cullowhee Township: R L Watson, D D Davies, Wm Wilson.

Scott's Creek Township: Samuel Bryson, Samuel Cook, James Crawford.

Webster C H Township: E P Stillwell, Thos Fizzell, John Keener, J C Watkins.

Savannah Township: B H Jones, W H Buchanan, E C

Ashe.

Barker's Creek: John Nation, W Bumgarner, John M Lane.

Qualla Town Township: H L Moody, James Ang, Samuel Gibson, sr.

JOHNSTON COUNTY.

Clayton Township: John L Banks, Needham G Gulley, Jos C Ellington, Wm H Penny.

Pleasant Grove Township: Joseph Ogburn, Amos Coats, Robert Johnson.

Elevation Township: Carrall Langdon, John G Woodall, Josephus Johnson.

Meadow Township: Elam Godwin, H N Bizzell, Y J Lawson.

Bentonsville Township: Ransom Lee, P H C Dupree, W N Rose.

Ingrams Township: John Sanders, Jas H Adams, Geo Keen.

Smithfield Township: Jas C Ballard, Willis H Avera, Thos R Youngblood, John C Hood, jr.

Princeton Township: L P Creech, Wm Richardson, K B Whitley, W H Joyner.

Beulah Township: Robert Hatcher, John Parker, L B Richardson.

O'Neal's Township: Wm H O'Neal, Joseph Hare, Jno R Brown.

Wilder Township: Jas A Hocutt, Jesse Hinnant, Jno W Lee.

Selma Township: W J Barrow, E S Moore, Theo Hinnant, Henry L Watson, Willis Gerard.



## JONES COUNTY.

White Oak Township: Lewis Bynum, Geo W Koonee, Cyrus Foscue.

Pollocksville Township : Henry C Foscue, John N Whitford, Egbert W Haywood, Jas W Harper.

Trenton Township: Edgar M Foscue, Wm E Ward, Titus Hart, Thos Wilcox.

Cypress Creek Township : Thos J Whitaker, Henry C Koonce, Benj Brock, jr.

Tuckahoe Township: J W Eubanks, Christopher C Fordham, Isaac Brown.

Beaver's Creek Township: Lewis H Haskins, Edwin B Isler, Joel A Heath.

## LINCOLN COUNTY.

North Brook Township: S J Weaver, T M Foster, W A Thompson.

Howard's Creek Township: J Stamey, sr, H E Ramsour, Isaac Self.

Lincolnton Township: W T Shipp, L D Haynes, Ambrose Costner, J L McLean.

Ironton Township: L A Dellinger, A G Harrill, S V Goodson.

Catawba Springs Township: Isaac Lowe, James Lineburger Jos G Morrison, T H Proctor.

## LENOIR COUNTY.

Sand Hill Township: John S Pearce, Wm H West, Jas D Sutton.

Woodington Township: Wm A Groom, Jesse C Kennedy, James Herring.

Trent Township: Henry Cunningham, jr, W S Byrd, N B Whitfield.

Pink Hill Township: Wm M Chamberlain, Wm B Nunn, Anthony Davis.

Moseley Hall Township: F B Fields, M H Wooten, P W Wooley, R W Moore.

Lenoir Institute Township: M B Creech, J M Patrick, Jas M Hines, jr.

Falling Creek Township: Jas M Parrott, Wm Waters, Wm L Kennedy.

Vance Township: W T Moseley, B F Parrott R F Bright.

Contentnea Neck Township: H H Moore, Wm J Pope, Elias Hazzleton.

Kinston Township: S H Rountree, Jas K Davis, W C Fields, Wm A Coleman, Lemuel Harvey.

#### MACON COUNTY.

Franklin Township: F Poindexter, D Mallonee, J H H Addington, W M Penland.

Mill Shoal Township: H H Elmore, E H Franks, Jno T Berry.

Ellijay Township: R A Jacobs, Hosea Moses, W W Henry.

Sugar Fork Township: J D Russell, Jas Keener, W A Holbrook.

Blue Ridge Township: J W Wilson, G A Jacobs, S W Hill.

Smith's Bridge Township: L Howard, M L Kelly, E T Long.

Cartoogechaye Township: S M Gillespie, Albert Siler W H Roane.

Nantihala Township : Zebedee Barnes, Jas Forrester, J B Pagett

Burningtown Township : P C Wilds, J W Welch, Daniel McCoy.

Cowee Township . A B Dalton, W F Potts, Thos Mashburn.

#### MADISON COUNTY.

Marshall Township : Lewis Peek, Jno B Nelson, Robt M Farnsworth, Barnett Fortner.

Pine Creek Township : Adolphus Pain, Wm Worley, Jackson Roberts.

Little Sandy Mush Township : Henry Gilbert, M M Teague, Garrison Roberts.

Spring Creek Township : Jasper Ebbs, Wm Fleming, David R Lusk.

Warm Springs Township : Peter Scism, Jacob Ottinger, Mack Rogers.

Big Laurel Township : Joseph B Goshnell, Alfred Davis Stephen Wallen.

Shelton Laurel Township : Ephram Hensley, Roderick Shelton, B T Chandley.

Gabriel Creek Township : Phillip Buckner, Isaac L Williams, Reuben Sams.

Middle Fork Township : Jas Metcalf, Henry L McLean, Nathan M Anderson.

West Fork Township : Sam'l Edwards, Chas L McPeters, Solomon G Brigman.

Upper Laurel Township : Wm B Anderson, Oliver English, Marion Marchbanks.



## MARTIN COUNTY.

Hamilton Township : Henry R Roberson, Jno P Hyman, J A B Cooper, Justus Everett, H D Roberson.

Williamston Township : Stanly M Purrington, Simon P Everett, Simon D Ward, Joshua Everett.

Jonesville Township : D R Daniel, Jas B Lanier, Goodman Darden, N S Stallings.

## MECKLENBURG COUNTY.

Charlotte Township : F A McNinch, J S Myers, R M White, Jno A Young, Walter Brem, D H Hill, W F Davidson, E K P Osborne, T L Vail, S H Hilton, H B Williams.

Clear Creek Township : T A Jerome, A C Flow, R H Henderson.

Crab Orchard Township : W H Taylor, Leander Query, J N Wallace.

Berryhill Township : L M McAlister, H D Stowe, J J Price.

Sharon Township : Oswald Alexander, H K Reid, Lorenzo Hunter.

Pineville Township : F C Harris, J H Elms, J T Downs, M L Wallace.

Providence Township : E M Matthews, J N Howie, A G Reid.

Steele Creek Township : F Lee Erwin, S A Caruthers, Thomas P Grier.

Deweese Township : D W Mayes, W A Sossaman, W P Williams.

Long Creek Township : Thos Gluyas, A M Barry, Tho3 Neal.

Paw Creek Township: A W Lowing, D B McCord, C L Gibson.

Lemley's Township: R A Torrence, B F Blythe, Jas N Wilson.

Morning Star Township: S B Smith, D M Fesperman, J W Hood.

Mallard Creek Township: R A Mc Neely, B H Garrison, N Gibbon.

#### MCDOWELL COUNTY.

Jamestown Township: B F Bracket, Jas M Robinson, Jno W Bright.

Higgins Township: A C Gardner, W C Tate, H C Bennett.

Dysartville Township: Jno H Patton, A B Higgins, Wm L Morrison.

Dobson Township: Isaac S Stacey, W A Connely, S P Burnnett.

North Cove Township: R P Hollyfield, W A McCall, Jos Connely.

Marion Township: Henry Presnall, Jno P Cansler, Samuel M Silver, J H Gilkey.

Old Fort Township: E H Grant, Thos Y Greenlee, Jos B Burgin, R H Moore.

Crooked Creek Township: R M Burgin, A J Dula, Thos Young ytle.

Broad River Township: Benj Nisbett, Wm H Ledbetter, J H Garrison.

Sugar Hill Township: Joshua Hall, G W Crawford, Geo W Morgan.

## MITCHELL COUNTY.

Bakersville Township: J C Howell, Wm Hickey, W S Buchanan, Robt M Penland.

Snow Creek Township: Sam'l Blalock, B B Westalin, Wm Silver.

Grassy Creek Township: Jno C Blalock, D N Cox, Wm Holyfield.

Cranberry Township: Riley Pritchard, W Young, Alex Erwin.

Toe River Township: Wm Ollis, Sidney Conly, J C Keener.

Linville Township: Jason Hughes, Wm Burlison, Marcus Tuttle.

Little Creek Township: Chas Burlison, Jas W Ayres, T J Buchanan.

Red Hill Township: Thos B Garland, Adam Snow, S C Phillips.

Harrill's Township: Jonathan Buchanan, Carson Gouge, Joseph Street.

Hollow Poplar Township: Jno Peterson, Chas Byrd, Spencer Barret.

## MONTGOMERY COUNTY.

Troy Township: B T Coggin, Isaac Suggs, Calvin J Cockrane.

Mt Gilead Township: D C McAulay, Jno R Scarborough, E S L Barringer.

Pee Dee Township: Thos C Ingram, John Bogan, C W Wooley.

Rocky Spring Township: Daniel J Ewing, Neill McCallum, A F Brush.



Little River Township: A P Leach, Willis Auman, David Allen.

Eldorado Township: B T Coggins, sr, A S Harris, Wm McAlister.

Hollingsworth Township: Martin Gills, David Meauley, C J Bruton.

Uwharrie Township: J C Colton, John Calvin Morris, Jesse Mullinn.

Cheek's Creek Township: Jeremiah Luther, John G Skinner, P H Turner.

Ophir Township: Enoch Davis, Wm H Hurley, P O Sanders.

Hill Township: M M Leach, Martin Wright, William Auman.

#### MOORE COUNTY.

Carthage Township: J A Jackson, D P Shields, Murdock Ferguson, M M Fry.

Ben Salem Township: L B Currie, Neil Leach, Kenneth Matherson.

Thos Brown's Township: Peter Shamburger, John Howard, E T Williams.

Ritter's Township: W J King, Geo Purvis, Richard treet

Jonesboro Township: Absalom Kelly, George W Avent R M Brown, D B McIver, A H Cox.

Greenwood Township: Jno McNeil, Jno B Cole, H L Muse, H W Graham.

Thugard's Township: D S Byrd, Daniel Blue, Jno K McLean:

Packet Township: A M Wicker, Wm Arnold, Wm McLeod.

Sand Hill Township: Malcolm McNeil, D C Blue, C W Shaw.

Jackson Spring Township: A M Black, James L Cu  
M G McKenzie.

NASH COUNTY.

Castalia Township: Thos J Braswell, jr., James Harper,  
Wm T Taylor, James B H Boddie.

Griffin Township: James V Bunting, R F Drake, J V  
Avent.

Whitaker's Township: T P Braswell, S R Hilliard, A  
H Ricks, J W Thompson, W D Stokes, Berry White-  
head.

Stony Creek Township: John E Lindsay, John R Green  
W R Winstead.

Nashville Township: L W Hekgepeth, Edward, W Wil-  
cox, Elisha H Cockrill, Jno C Harper.

Cooper's Township: Thos R Batchelor, B H. Vester, J  
J E Deans.

Manning's Township: S C Edwards, Z R Hinton, James  
T Webb.

Ferrill's Township: J A G Kemp, George B Morgan, J  
W Ballentine.

Bailey's Township: W B Wineborne, D H Bunn, West-  
ly Privett.

Jackson Township: A H Denton, N R Strickland, Thos  
Westray.

Rocky Mt Township: D W Winstead, J D Robbins, M  
B Willitord, R C Tillery.

NEW HANOVER COUNTY.

Wilmington Township: Anthony Howe, (Joseph C Hill,  
Thos M Smith.

City of Wilmington: E D Hall, Jno D Love, Solomon  
Bear, J C Millis, Jno S James, J L Cantwell, Henry Schul-

ken, L H Bowden, Walker Meares, O G Parsley, jr, J M King, Jno C Koch, C D Myers, Henry Nutt, W W Harris, D G Worth, E H McQuigg.

Federal Point Township: Stephen D Keyes, Jno H Savage, Hosea L Horne.

Masonboro Township: Jno G Wagner, Joseph A Montgomery, Jno J Beasley.

Harnett Township: Jno A Holt, A A Moseley, Jno W Maffitt.

Cape Fear Township: Henry E Scott, James Cowan, A G Grady.

#### NORTHAMPTON COUNTY.

Gaston Township: Wm E Bradley, Jas W Grant, Joe G Lockhart.

Occoneechee Township: Thos W Mason, Thos C Parker, Jas L Linter.

Jackson Township: Isaac Peele, W S Copeland, John T Peebles.

Roanoke Township: Wm Grant, Andrew E Peele, Wm H Williams.

Rich Square Township: Henry C Edwards, John C Jacobs, Andrew J Harrell.

Wiccacanoë Township: Wm J Rogers, Wm H Parker, Jas L Lassiter.

Kirby Township: Joe A Garris, Wm J Edwards, E A Martin.

Seaboard Township: C C Daniel, Alex H Reid, W J Maddry, B D Stancill.

#### ONSLOW COUNTY.

Richland Township: E J Newbolds, S B Taylor, Harvey Cox.



Jacksonville Township: John Mashbourne, A J Murrill, Jas Gaines, Richard Canady.

Stump Sound Township: Jno J Yopp, H E King, John Shepard.

Swansboro Township: J A Freshwater, T B Holland, L O Fonville, W P Ward.

White Oak Township: Noble Sommersville, S L Geroock, W J Mumfort.

#### ORANGE COUNTY.

Hillsboro Township: Calvin E Smith, Nathaniel D Bain, Alvis Durham, John M Blackwood, Lemuel Lynch.

Little River Township: Samuel H. Jordan, Lambert, W Hall, Addison W Holden.

Mangum Township: A K Umstead, George W Jones, Robert F Webb.

Durham Township: Wm W Guess, D L Paschall, Robt D Patterson, D C Parish, M A Angier, Caleb B Green.

Patterson Township: Samuel H Turrentine, Gabriel A Barbee, Wm C Mason.

Chapel Hill Township: Chas W Johnson, Wm G Robson, Merritt Cheek, Jno H Watson.

Bingham Township: D M Durham, Robert Long, T P Bradshaw.

Cedar Grove Township: Wm W Allison, Wm T Tate, John Thompson.

#### PAMLICO COUNTY.

Township No 1. Brazilla Halton, James Madison Reel, Alex. O Brinson.

No 2. Stephen D Lane, Tillman F Woodard, James O Baxter, Jas S Lane.

No 3: Eph H Riggs, Daniel B Hooker Wm N Pugh, Freeman E Ives.

No 4: Washington L Barnett, John Wm Watson, Jas Potter.

No 5. Robert B Hardison, John F Ritch, John B Martin.

#### PASQUOTANK COUNTY.

Elizabeth City Township: G W Cobb, Hugh Cale, Jabez Pritchard, R K Speed, G M Scott, W A Harney, F M Cook.

Newland Townsbip: Edmund Doly, Wm Williams, Josiah R Etheridge.

Providence Township: Miles Whitehurst, Nixon Morgan, W S Temple.

Nixonton Township: Samuel J Halstead, Zenas Fearing, Eph Stanton.

Mount Hermon Township: Mark Gregory, Wm T White, Elisha Harris.

Salem Township: W F Thibby, James Perry, F M Godfrey.

#### PENDER COUNTY.

Holden Township: John Lillington, Samuel P Hand, Robt T Sanders.

Union Township: H T Murphy, John D Powers, John E Rivenback.

Columbia Township: G T Walker, Thos H W McIntyre, A C Ward.

Caswell Township: Henry C Register, James Thompson, J F Moore.

Lincoln Township: W J Bivins, Chas P Moore, Gratten Williams, L Southerland.

Rocky Point Township: A Gambergh, Dawson Durham, Thos J Armstrong.

Holly Township: R T Williams, W J Player, Eli H Shiver.

Grant Township: A Lloyd, R K Bryan, C W McClammy.

#### PERQUIMANS COUNTY.

Hertford Township: H J Reed, Abram Bonner, Geo D Newby, Edwin Brace.

Bethel Township: W L Mardre, W M Fleetwood, Robt S Pratt.

Belvidere Township: Elsbury W Riddick, Alphonso White, Caleb Winslow.

Parkville Township: J H White, John Bennett, William Nixon.

New Hope Township: Joseph Newby, J H Jacocks, Walter Lowry.

#### PERSON COUNTY.

Cunningham's Township: Samuel A Barnett, C H Richmond, Robert A Williams.

Olive Hill Township: W G Winstead, James M Burton, A J Hester.

Bushy Fork Township: J L Brooks, Jno G Coleman, James O Bradsher.

Flat River Township: Alex Reams, Henry Montgomery, James T Gates.

Roxboro Township: James T Critcher, J B Pleasants, Wm R Webb.

Wood Dale Township: E J Robertson, Jno A Barnett, Jeff J Brooks.



Halloways Township: Thos J Montague, E N Wilkerson, Thomas A Street.

Allensville Township: H W Harriss, L C Clayton, B A Thaxton.

Mt Tirzah Township: G G Moore, Groves Meadows, W T Noell.

#### PITT COUNTY.

Swift Creek Township: Calvin Stokes, Louis Wilson, Fred Harding.

Chicod Township: Joseph Tucker, Geo W Venters, J J Laughinghouse.

Greenville Township: Jno J Cherry, Jno B Worsley, B W Brown, Richard Williams.

Bethel Township: Wm C Davenport, Reuben Mayo, Caswell Stancill, David C Moore, Godfrey Stancill.

Pactolus Township: Theo Keel, G W Mooring, W W Little.

Falkland Township: Willis R Williams, Allen Warren, Jno King.

Farmville Township: Jno B Nicholls, B S Shepard, W A Barrett, James W May, E O McGowan.

Contentnea Township: J B Garriss, Abram Cox, Caleb Cannon, sr.

#### POLK COUNTY.

Tryon Township: J D Morris, Jno Garrison, Wm E Mills.

Columbus Township: James H Arms, T G Ridings, Noah H Hill, David Foster.

Coopers Gap Township: Louis Cowart, James Jackson, Thos Edgerton.

Mills Springs Township : Geo J Mills, Jos C Waldrop, J M Hamilton.

Green's Creek Township: Joberry Prince, Joseph Smawley, Robt McFarland.

RANDOLPH COUNTY.

Trinity Township: P C Welborn, W M Wilson Matt Shaw.

New Market Township : Robt Coltrane, T C Fentress, Newton Newlin.

New Salem Township : J N Caudle, D P Cobb, Wm Branson.

Liberty Township: W P Fox, W J Burgess, A L Troy.

Columbia Township : Henry Craven, W H Foust, J W Staley.

Franklinsville Township: J W Bean, A S Horney, Hugh Parks.

Ashboro Township : R M Free, D W Porter, J E Walker, T M Moore.

Tabernacle Townslip: A B Finch, Jno Andrews, P Arnold.

Buck Creek Township : R M Walker, Alfred Bulla, Nathan Farlow.

Concora Township : Jno B Harney, W A Preno, B W Steed.

Cedar Grove Township : Z A Lewellen, Nathaniel Steed, Jno W Ridge.

Grant Township : Jno Kemp, Ely A Craven, Henry Jones.

Pleasant Grove Township : H T Moffitt, Geo A Foust, J F Caviness.

Brower Township: Jno Brady, S E Teague, Jno E Albright.

Richland Township: Haman Miller, James B Burroughs, Alfred L Yow.

Union Township: Geo Auman, M H Cox, Laban Slack.

New Hope Township: O C Brewer, Jesse Lyndon, o-nathan Lassiter.

#### RICHMOND COUNTY.

Rockingham Township: Jno Shortridge, W P McDon-ald, A M McAuley, H C Hall.

Stewartsville Township: James M Graham, W H Mc-Laurin, Peter McRay, W H Murphy.

Laurel Hill, Cilbert M Patterson, Geo McMillan.

Williamsons Township: Jno H Snead, Andrew J Brown Jesse Hargrave.

Mineral Springs Township: D H Gibson, Joshua Chap-pell, W D Townsend.

- Black Jack Township: M J Thomas H C Webb, O M Covington.

Wolf Pitt Township: H S Wade, Jno Graham, James McIntosh.

Beaver Dam Township: Jno C Terry, Jas L Yates, W Graham.

Steeles, James T Bradley, Isaiah Ballard, W T Brook-shire.

#### ROBESON COUNTY.

Alfordsville Township: Peter P McRae, Chas McRae, Jno H Morrison.

Blue Springs Township: Daniel Biggs, Thos M Wat-son, D P McEachin.

Back Swamp Township: D C McIntyre, Daniel Buie, Neil Townsend.



Britt's Township : Giles F Floyd, Caleb Britt, J S Thompson.

Howellsville Township : A H Hodges, Shadwick Howel, J A Bozier.

Lumberton Township : Jesse Phillips, A W Fuller, W B Blake, J A McAllister.

Lumber Bridge Township : D S Johnson, W C McPhail R W Kinlaw.

St Paul Township : W H Fisher, Archibald Malloy, M N McIver.

Sterlings Mills Township : R R Barnes, John F Britt, E C Atkinson.

Smith's Township : William Stewart, Angus D Brown, A S Morrison.

Shoe Heel Township : Murphy McNair, B G Graham, B F McLean, Daniel McCornic.

Thompson's Township : Neil McCornic, Alex McLeod, J C McKeller.

Wisharts Township : Calvin Flowers, Eli Wishart, Bunyan Stancil.

Burnt Swamp Township : D A Buie, F G Odum, Alex McIntyre

White House Township : Calvin Williams, Archibald Thompson, A C Oliver.

#### ROWAN COUNTY.

Salisbury Township : Phillip Sowers, Asa Ribelin, Adam M Brown, Thos G Haughton, Dolphin A Davis, G Adolphus Bingham, Andrew Murphy.

Franklin Township : W R Fraley, Abner L Hall, Wm M Kincaid.

Unity Township : John A Bailey, John C O Graham, John Rice.

Scotch Irish Township: Jesse Powless, Joseph A Hawkins, John G Fleming.

Mt Ulla Township: Stephen F Cowan, Jesse W Miller, John R Graham.

Atwell Township: Joseph F McLean, Samuel M Furr, John L Sloan, Wm T H Plaster.

Locke Township: Richard F Graham, sr, Wm F Watson, Chas H McKenzie.

Litaker's Township: Isaac S Linker, Philip A Sloop, John Sloop.

Gold Hill Township: Adam C Earnhardt, A W Klutts, Geo M Bernhardt, Frank H Mauney.

Morgan's Township: Willie Bean, John W Miller, M Green Morgan.

Providence Township: Henry Barringer, Wm B Klutts, David Barringer.

#### ROCKINGHAM COUNTY.

Leaksville Township: Constantine Osborne, John Q Roberts, Alex Smith.

Jones W Burton, for Leaksville town.

Stoneville Township: Henry Barnes, E P Barnes, Winston Kallum.

Francis J Stone, for Stoneville town.

Madison Township: Jas A Vernon, Henry McGehee, Z L Wall, T McWoodburn.

Huntsville Township: Wm Carter, R S Reynolds, R B Henderson.

New Bethel Township: Thas Cummings, H P Lomax, Jas Kallum.

Simpsonville Township: W P Hopkins, John Hutcheson, Thos Moore.

Wentworth Township: Nathan Mobley, Wm M Ellington, P D McCallum.

Oregon Township: Walter Lander, R A Holderby, W S Carter.

Williamsburg Township: J W McDowell, Alfred Walker, Alex J Jones.

Hugh K Reid, for Williamsburg town.

#### RUTHERFORD COUNTY.

Rutherfordton Township: Joseph A Smith, Jas M Toms, W L Huntley.

Carter Burnett, for Rutherfordton town.

Green Hill Township: W B Wilson, J B Morris, A L Rucker.

Union Township: W P Abrams, Jason H McKinney, J A McCluer.

Sulphur Springs Township: H S Taylor, W A Tanner, W L Jones.

High Shoals Township: J J Camp, Henry Jenkins, L A Holland.

Colfax Township: T M Walker, B B Byers, A Harrill.

Cool Springs Township: A C Higgins, A W Harrill Barney McMahan.

J B Blanton, for Cool Springs town.

Duncan's Creek Township: D D Martin, W M Packard, Thos Stroud.

Golden Valley Township: J M Mode, H C Rollins, Jno R Gamble.

Logan's Store Township: H B Wilson, Thos F Jones, Isaac N Biggerstaff.

Camp Grove Township: Wm Montieth, L L Deck, C C Goforth.

Morgan Township: T P Hempbill, A W Haynes, J W Morgan.



Chimney Rock Township: W M Henderson, Isaac M Frady, Henry Portman.

SAMPSON COUNTY.

Clinton Township: Langdon C Hubbard, R C Holmes, Jas M Moseley, Wm A Mathis.

Taylor's Bridge Township: Vann J McArthur, A R Herring, Edward C Smith.

Lisbon Township: Allen M Blackburn, Julian J Bronson, Amos J Johnson.

Franklin Township: Jas Stringfield, John A Corbett, Wm L Fennel.

Turkey Township: Walter P Moore, J D Blount, Luther R Carroll.

Piney Grove Township: W M Clifton, W A Andrews, Amos Royal.

Westbrook Township: Hardy Daughtry, Uriah Hall, John E West.

Mingo Township: N B Barefoot, J C Draughan, Josiah Baggett.

Hall's Township: Howell H Cobb, David R Watson, Julius C Hobbs.

Dismal Township: David McKennon, John C Williams, Jas R Maxwell.

Little Coharie Township: Wm Sessoms, Thos B Hall, Murdock White.

Honeycutt's Township: Wm A Baggett, Marshal B Crumpler, Isiah Herring.

McDaniel's Township: Haywood Rick, Gaston Spell John C Wright.

## STANLEY COUNTY.

Township No 1 : B F Snuggs, H C Turner, T A Lowder.

No 2: M M Efird, J D Forest, M J Freeman, S S Stone.

No 3: Daniel Richer, Mumford Parker, Valentine Mauney.

No. 4: Neelan Lofter, Miles Ritchey, Wm Moody.

No 5: D D Green, Archibald Cauble, Eli Herrin.

No 6: Solomon Pless, Jonah M Hartsell, Calvin H Brooks.

No 7: S A Morton, J P Austin, I P Efird.

No 8: Church Carpenter, W F Crump, E W Davis.

## STOKES COUNTY.

Meadow Township: Wm Neal, Joel Y Allen, Wilson B Vaughn, L F Smith.

Sauratown Township: W W Withers, Wyatt B Vaughn, W A Lash, jr.

Beaver Island Township: J P Dalton, M T Mitchell, C M Lashley.

Snow Creek Township: Samuel N Martin, J P Reid, Z S Alley.

Peter's Creek Township: W V Shelton, Frank L Moore, Thos Martin.

Quaker Gap Township: M T Smith, Jas A Leak, J L Smith.

Yadkin Township: J M Rutledge, L E Grabbs, J Q A King.

## SURREY COUNTY.

Dobson Township ; T V Hamlin, B F Wood, J M Gordon.

Samuel A Waugh, for Dobson town.

Mt Airy Township , Robert S Gilmer, Isaac Armfield, John G Jones.

James W Davis, for Mt Airy town.

Westfield Township : Lee Jessup, Joseph White, Caleb D Hill.

Pilot Township: John C Dodson, Abram Whitaker, F A Butner.

Rockford Township: John G Burns, S W Snow, M C Reeves.

Marsh Township: T F Anthony, Joseph Axon, Ira Reece.

Hotel Township: J H Maxwell, D A Eldridge, A B Galloway.

Bryant Township: A H Kapps, F M Nixon, W H Wolf.

Franklin Township: C C McNeil, Jackson Lowe, J M Armfield.

Stanley Creek Township: Hasting Beamer, Francis Miller, Samuel Sandifer.

## SWAIN COUNTY.

Oconolufy Township: W R Grant, H J Beck, A Minus.

Charleston Township: J C Cogdill, E P Gibson, M G Battle.

Nantihala Township: John Constant, W J Dehart J L Thomason.



Tony's Creek Township: Daniel Lester, A B Welch, S A Monteith.

TRANSYLVANIA COUNTY.

Boyd's Township: Joseph M Orr, E B Clayton, A W Sitton.

Little River Township: S W Hamilton, J S Heath, J S Shuford.

Davidson's River Township: J T Brooks, E M Allison, J P Deaver, B C Lankford.

Dunn's Rock Township: W S Lankford, B W Henderson, A J Loftis.

Cathey's Creek Township: D C Shuford, L W Brooks, J McAiken.

East Fork Township: Adolphus Garren, C M Gillespie, J D Galloway.

Gloucester Township: W P Galloway, W H Robertson, John Owens, jr.

Hogback Township: T B Reed, B W Breedloe, G C Galloway.

TYRRELL COUNTY.

Columbus Township: J B Pinner, J G Brickhouse, M D L Newberry, James E Greaves.

Scuppernong Township: Henry P Alexander, Henderson Lewis, E Ransom.

Gum Neck Township: James W Swain, Ashber Jones, C E Tatem.

Alligator Township: Sybra Morris, W E Shallington, J B Combs.

South Fork Township: Thos B Myers, W C Woodley, Harrison Bateman.

## UNION COUNTY.

Monroe Township : Jonathan Trull, Russell Rogers, Leroy Secrest, S S McCauley, Abel Helms, L M Secrest.

Buford Township : Zachariah Yarborobgh, Thos C Eubanks, Wm W Smith.

Jackson Township : Wm W Walker, Jno W Belk, Wm Crow.

Sandy Ridge Township : Jno H Gribble, A J Price, Thos L Cuthbertson.

Goose Creek Township : Thos H Benton, John N Presson, Marcus E Crowell.

New Salem Township : J O Griffin, A D Howell, W A Austin.

Lane's Creek Township : Vachel T Cheers, Jacob S Little, J P Horne.

Thos W Griffin, (Griffinsville Town).

## WAKE COUNTY.

Bartons Creek Township : M H Ellen, R D Hunneycutt, R M Jones.

St Mary's Township : J G Andrews, W R Poole, Thos J Johns.

Buckhorn Township : L B Seagraves, W B Jones, M B Royster, G B Alford.

Cary Township : J P H Adams, C H Clark, P A Sorrell, J R Page.

Cedar Fork Township : W H Edwards, R O Bryant, A M Adams, J C Sears.

House's Creek Township : J D Hays, B A Perry, M Y Chappell.

Little River Township : P P Pace, T J Wiggs, Michael Whitley.

Mark's Creek Township: H A Rhodes, Joseph Blake, John W Smith.

Middle Creek Township: D C Adams, J M Jones, J D Ballentine.

New Light Township: Caswell Ray, J W Thompson, W J Ward.

Neuse Township: Thomas Yeargin, L M Green, R Walter Jeffreys.

Oak Grove Township: Jas Chandler, J T Nichols, Sol J Allen.

Panther Branch Township: W D Turner, James H Allen, Simeon Williams.

St Matthews Township: Clinton W Williams, J Rowan Rogers, J A Temple.

Swift Creek Township: Allen Adams, J B Strain, L D Stephenson.

Wake Forest Township: J M Brewer, E E Gill, Hut-sanel Watkins, M E Carver, J M Flemming.

White Oak Township: A M Betts, A C Council, Rufus Barbee, W F Utley,

City of Raleigh: C D Upchurch, W H Bledsoe, R G Dunn, W D Haywood, M Grausman, R W Best, B C Manly, M B Barbee, C B Root, W G Briggs, James D Pullen, John B Neathery, J C S Lumsden, Leroy G Bagley, J T Watts, Benjamin Parks.

#### WARREN COUNTY.

River Townshlp: Alexander Wright, Buckner Eaton, John R Boyd.

Haw Tree Township: W A Boyd, John, M Brame, John O Drake.

Smith's Creek Township: R F Rose, John Read, Jas T Russell.



Nut Bush Township: Thos P Paschall, John H Bullock, B M Collins.

D B Kimball, (Manson.)

Standy Creek Township: Wilson Hicks, Solon Southerland, Jos B Jones.

Shocco Township. Eugene Thorn, R W Alston, Jonas C Williams.

Fishing Creek Township: William Brehon, P G Alston sr., T J Pitchford.

Judkins Township: Landou C Johnson, John W Riggan, C M Cook.

Warrenton Township: Mansfield Thornton, W G Plummer, B D Williams, R H Ford, H B Hunter, R G Moore.

Six Pound Township: Horace Palmer, Rich'd Wright, Samuel Bobbitt.

#### WASHINGTON COUNTY.

Plymouth Township: William J Bowen, Bryant Bennett, Asa M Johnston, (Plymouth Town,) Samuel W Latham, James F Norman.

Lee's Mill Township: Cleophas W Swain, Isaac T Hassell, William R Chesson.

Skinner'sville Township: Julius Howell, L M Phelps, Thomas J Norman.

Scuppernong Township: Alex Armstrong, Joseph H Snell, Dempsey, Spruil, Joshua B Davenport.

#### WATAUGA COUNTY.

Boon Township: J M Brown, Wm H Duggar, W F Shull, D B Daugherty, (Boon town.)

Ball Mountain Township: John J L Church, Hugh A Dobbin, A F Davis.

Blue Ridge Township : A W Fenley, F F Hendrix, Jordan Cook.

Blowing Rock Township : Wesley W Sherrell, Wm Elrod, Leonard W Estes.

Beaver Dam Township : Marion Wilson, Jacob Haguman, Dudley Farthing.

Cove Creek Township : Jas C Lewis, T P Adams, Hiram McBride.

Elk Creek Township : Isham Calloway, Lewis Hartley, J R Hodges.

Laurel Creek Township : M C Harman, Benj Greer, L W Farthing.

Meat Camp Township : Harvey A Davis, Alfred Moretz, John Ragan.

Stoney Fork Township : J R Norris, Jos Brown, D B Wagner.

Watauga Township : J W McClaird, C J Coffey, Henry Taylor.

Shouneehau Township : G W Brown, Wm Voncanon, Geo W Dugger.

#### WAYNE COUNTY.

Goldsboro Township : Henry B Ham, Nathan Boyett, E Arnold Wright, Jas W Gulick, Ed Griswold, Jno C Slocum, G W Collier.

Stony Creek Township : W P Holland, T A Granger, Daniel R Thompson.

Nahunta Township : W E Fountain, Jesse T Aycock, Fred I Beckton, Jas H Barnes.

Great Swamp Township : J M Perkins, Jesse Hooks, Z L M Peacock.

Pikeville Township : J T Dees, Stephen F Blow, Albert Aycock.

Saulston Township: W H Speight, Leonard Lewis, Berry Parks.

New Hope Township: John W Isler, Thos W Uzzell, John I Herring.

Indian Springs Township: John A Kornegay, John P Cobb, Wm B Whitfield.

Brogden Township: D E Stephens, Stephen W Hallowell, Wm B Bowden, L G Pearsall.

Grantham Township: Geo M Bridgers, C J McCullen, Richard Rayner.

Fork Township: Hillory Hastings, Willis H Brogden, Boaz F Hooks.

#### WILKES COUNTY.

Edwards Township: Jas M Gambrell, J I Parkes, F A Harris.

Trap Hill Township: Jas McCann, jr, J F Gentry, Wesley Joins.

Walnut Grove Township: Johnson Cordill, W McAbsher, Thomas Joins.

Rock Creek Township: Spencer Blackburn, W F Ward, Jas D Hunt.

Mulberry Township: F M Adams, Chas N Hunt, A B Dancy.

Union Township: D F Shephard, A A Whittington, R W Colvard.

Reddie's River Township: J A Crysell, J F Finley, G F McNeil.

Lewis Fork Township: J W Church, Alford Proffitt, A M Church.

Job's Cabin Township: Randolph Vernoy, Jefferson Church, Lindsey Triplett.

Elk Township: Geo W Hendrix, J C Land, W F Hendrix.



Beaver Creek Township: Pickens Carlton, E K Walsh, E B Phillips.

Wilkesboro Township: T J Gilreath, W H Hubbard, S J Jennings, R F Hacket.

Summers Township: Wm Cooper, L W Lumsford, Alfred Warren.

Fishing Creek Township: Elisha Parker, W B Transon, A Rossena.

Lovell Township: W H Summers, T C Parks, Geo W Hays.

Brushy Mountain Township: E E Hendren, John T Purlier, James Mitchell.

New Castle Township: R W Wooten, Geo W Sale, J C Armstrong.

Antioch Township: Enoch Staley, Jas H Foote, F B Parks.

#### WILSON COUNTY.

Wilson Township: F W Barnes, M J Edwards, T C Davis, Calvin Barnes, Robert J Taylor.

Gardner's Township: T B Bridgers, Cofield Barnes, Jesse M Taylor.

Stantonburg Township: Washington Barnes, J T Graves, D G W Ward, Henry M Thompson.

Taylor's Township: Wiley Farmer, T J Eatman, Joseph Farmer.

Black Creek Township: Jonathan Tomlinson, A G Brooks, Nathan Bass, W R Newsome.

Cross Roads Township: Jesse Lucas, D A Scott, Peter L Barnes.

Spring Hill Township: Wm Watson, Jesse Kirby, Simon Barnes.

Saratoga Township: Seth H Tyson, Ben A Howard, T R Eagles, Elbert Felton.

Old Fields Township: Larry B Boyette, A B Boykin, J L Eatman.

Toisnot Township: J H Barclay, W W Flowers, J W Crowell, M M Williams.

#### YADKIN COUNTY.

Booneville Township: T D Cartwright, J M Speer, J R Spencer.

Knobs Township: Benj Sparks, J N Vestal, J D Holcomb, J S Claywell, (Jonesville.)

Buck Shoals Township: J S Tulburt, J M Burgess, A N Tomlin.

Deep Creek Township: J B Holcomb, W S Arnold, Miles H Long.

Liberty Township: W B Joyner, J G Reavis, W S Macy, J R Nance, (Yadkinsville.)

Forbush Township: F M Lakey, Thomas Long, J C Conrad.

Little Yadkin Township: P C Jones, J R Houzer, P S Hunt.

East Bend Township: T F Mathews, J W Flemming, Azariah Horn.

Fall's Creek Township: C H Adams, G Z Poindexter, J D Hobson.

#### YANCEY COUNTY.

Burnsville Township: L H Smith, L C Robinson, D A Angel.

Cane River Township: M P Hampton, W A McClelland, D M Ray.

Egypt Township: Isham Fender, Robert Lewis, L S Phillips.

Ramsey Town Township: C R Byrd, Daniel Miller, J W Peak.

Jack's Creek Township: W A Peterson, Malcolm McCurry, sr, E M Honeycutt.

Brush Creek Township: G B Wooddy, W H Deaton, Jeremiah Hughes.

Crabtree Township: J W Higgins, John Cox, J C Griffith.

South Toe Township: Jason Ballon, Wm Hutchins, Geo Robinson.

Pensacola Township. Leander Ray, William Allen, M P Ray.

Senators Albright and Johnston, voted for the list above named, except those reported for the counties of Bertie, Edgecombe, Halifax, Granville and Northampton, and for Craven county substituted the names, of W H Pearce, James Osgood, James A Atkins, R. S. Chapman for the names of E. G. Hill, James Campbell, Jesse Brooks and W L Petifer; for the county of Pender substituted the name of Newman Atkinson for the name of A Lloyd; for the county of New Hanover substituted F. W. Kerchner and Wilkes Morris for the names of Anthony Howe and J C Hill.

Messrs. Askew, Caho, Crawford, Graham, Holt, Latham, Mereer, Moore of Mecklenburg, Nicholson, Robins, Stanford, Stewart, Short, Troy, Waddell and Williams voted the list as reported by the committee with the following exceptions: for the county of Craven the names of W H Pearce and James Osgood were substituted for James Campbell and E G Hill; for the county of Pender the name of Newman Atkinson was substituted for A Lloyd; for the county of New Hanover the names of F W Kerchner and Wilkes Morris were substituted for Anthony Howe and Joseph C Hill.



Mr. Liles voted for the following: for Craven county Messrs. W H Pearce and James Osgood; for Pender county Newman Atkinson; for the county of New Hanover. Messrs. F W Kerchner and Wilkes Morris.

Messrs. Dortch, Mabson and Wynne declined to vote for Justices of the Peace.

Mr. Finger voted the list reported by the committee except for the county of Craven: Messrs. E. G. Hill, James Campbell, Jesse Brooks and W D Petifer; for the county of Pender A Lloyd; for the county of New Hanover, Anthony Howe and J C Hill.

On motion of Mr. Troy, the Senate adjourned.

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## EIGHTIETH DAY.

SENATE CHAMBER, March 9th, 1877.

Senate met.

Lieut. Governor Jarvis in the chair.

Prayer by Rev Mr. Norman, of Raleigh.

The reading of the Journal of yesterday was dispensed with.

Reports from Standing Committees were submitted as follows:

From Committee on Engrossed Bills:

By Mr. Wddell, as correctly engrossed, Senate amendments to H. B. 601, S. B. 889, a bill in relation to the city of Raleigh;

Senate amendments, in nature of substitute, for H. B.

843, S. B. 885, a bill to allot and distribute the judicial power of the State;

Senate amendments to H. B. 254, S. B. 795, a bill to amend Landlord and Tenant Act.

From Committee on Propositions and Grievances :

By Mr. Roberts : H. B. 708, S. B. 854, bill to regulate the taking of fish in the waters of New River, in Onslow county, recommending that it do pass.

From Committee on Judiciary :

By Mr. Wilson : S. B. 879, H. B. 706, bill to regulate elections, recommending it do pass ;

S. B. 670, H. B. 493, bill to amend chapter 262 of Laws of 1870-'71, recommending it do pass.

From Committee on Corporations :

By Mr. Sandifer : H. B. 823, bill to amend chapter 156 Laws of 1872-'73, recommending it do pass.

#### INTRODUCTION OF BILLS AND RESOLUTIONS.

By Mr. Mebane of Rockingham : S. B. 884, bill to amend sections 15 and 16 of chapter 90, Battle's Revisal. Referred to Judiciary Committee;

S. B. 885, bill to amend chapter 247, Laws of 1874-'75. Referred to the Committee on Judiciary.

By Mr. Askew : S. B. 886, bill in relation to the payment of fees to tales jurors. Referred to Committee on Judiciary.

By Mr. Crawford : S. R. 887, resolution providing that no further leaves of absence be granted. Placed on the Calendar.

By Mr. Short : S. B. 891, bill to amend the charter of the New River Canal Company. Referred to Committee on Corporations.

By Mr. Robinson : S. R. 892, Resolution in favor of clerks of the special committee to nominate magistrates. Placed on the Calendar.

Mr. Mabson, for himself and others, submitted the following protest, which was ordered spread upon the journal :

A PROTEST AGAINST THE ACT TO ESTABLISH COUNTY GOVERNMENTS.

The undersigned, members of the Senate of North Carolina, do enter their solemn protest against the passage of the bill entitled 'An Act to Establish County Government,' and desire the same spread upon the Journal.

The power of the people rests entirely in the right they have to choose the officers who are to exercise the functions of government. They are as much entitled to the choice of these men, who are to levy the taxes they pay, as they are to elect those who make the laws, or the officer who executes them. Why should they have the power to elect Justices of the Supreme Court and Superior Courts, and be deprived of the right to select the magistrates who decide between neighbor and neighbor at their very doors ?

Under the provisions of the act herein referred to the General Assembly takes into its own hands those prerogatives of the people ; their voice is stifled, and the powers which belong to the people are transferred to the few members who compose the majority party in the General Assembly.

The Justices of the Peace are all to be appointed by this body ; the Justices are to appoint the Commissioners, and may appoint them from their own number. They are empowered to establish County Courts and thereby sit in judgment upon the rights and personal liberty of every citizen of the State.

The people are entitled to choose their officers themselves, and therefore it is a duty we owe our constituents



to protest on their behalf against this usurpation of power.

Respectfully submitted,

W. P. MABSON,

Senator 5th District,

R. W. WYNNE,

Senator 18th District,

W. W. DUNN,

Senator 11th District,

(Signed,)

H. T. HUGHES,

Senator 21st District,

GEORGE A. MEBANE,

Senator 3rd District,

J. WILLIAMS THORNE,

Senator 19th District."

Leave of absence was granted Messrs. Mercer, York, Bingham, Latham, Heilig and Folk, indefinitely.

#### CALENDAR.

H. B. 665, S. B. 824, bill to amend Battle's Revisal, section 16, chapter 65, passed its second and third readings.

H. B. 218, S. B. 783, bill to incorporate the Wilmington Compress Company, passed its second and third readings.

H. B. 451, S. B. 827, bill to secure owners of real estate in the State a homestead in fee simple, passed its second and third readings.

Bill to amend chapter 152, Laws of 1874-'75, passed its second and third readings.

Mr. Crawford moved to suspend the rules and take up S. R. 887, resolution in regard to leave of absence.

Mr. Caho demanded the ayes and noes upon the resolution to suspend the rules, which were ordered, and the Senate refused to suspend the rules, ayes 10, noes 19, as follows:

*Affirmative*—Messrs. Albright, Boddie, Cunningham, Folk, Heilig, Latham, Roberts, Stanford, Short and Waddell—10.

*Negative*—Messrs. Askew, Caho, Coke, Dortch, Dunn, Graham, Holt, Hughes, Liles, Mebane of Bertie, Nicholson, Robinson, Sandifer, Stewart, Thorne, Williams, Wilson and Wynne—19.

Bill to prevent obstructions to the passage of fish up the Tuckaseege river, in Jackson county, passed its second and third readings.

S. B. 839, bill for the organization of the militia, on second reading, was taken up.

Amendments of committee on Military affairs were adopted. Bill passed its second reading.

Bill read third time.

Mr. Dunn demanded the ayes and noes, which were ordered and the bill passed, ayes 16 noes 15, as follows :

*Affirmative*—Messrs. Caho, Coke, Crawford, Cunningham, Dortch, Graham, Heilig, Holt, Liles, Robinson, Roberts, Stanford, Short, Thorne, Troy, Williams and Wilson 16.

*Negative*—Messrs. Albright, Askew, Dunn, Ferguson, Finger, Folk, Hughes, Latham, Mabson, Mebane of Rockingham, Nicholson, Stewart and Wynne—15.

Ordered transmitted to the House without engrossment.

By consent, Mr. Troy introduced S. B. 890, bill supplemental to an act to establish a Department of Agriculture. Placed on the Calendar.

On motion of Mr. Graham, the Senate took up and concurred in the House amendments to the revenue bill.

Bill to regulate the manner of making election returns passed its second and third readings.

Bill to prevent the hauling of seines and nets in Tar river, on certain days passed its second and third readings.

Bill to amend the charter of the city of Raleigh.

Mr. Moore, of New Hanover, moved to indefinitely postpone.

Mr. Graham demanded the previous question, which was sustained.

Bill passed its third reading.

S. B. 870, bill supplemental to an act to divide the State into nine judicial districts, passed its second and third readings.

Bill to make valid the action of the Commissioners of Henderson county passed its second and third readings.

Bill requesting the U. S. Judge to suspend the order appointing a receiver for the North Carolina Railroad, was taken up and passed its second and third readings.

S. B. 876, bill to establish a Criminal Court for the counties of Warren, Franklin and Halifax, passed second reading and read third time.

Mr. Troy called the ayes and noes, which were ordered and the bill passed its third reading, ayes 22, noes 8, as follows :

*Affirmative*—Messrs. Askew, Boddie, Coke Crawford, Cunningham, Dortch, Finger, Graham, Heilig, Holt, Johnston, Latham, Mebane of Rockingham, Roberts, Sandifer, Scales, Standford, Stewart, Short, Waddell, Williams and Wilson.

*Negative*—Messrs. Albright, Dunn, Hughes, Mabson, Robinson, Thorne, Troy and Wynne—8.

S. B. 877, bill to establish a Criminal Court for the counties of Beaufort, Bertie, Edgecombe, Craven and Martin, on second reading.

Mr. Latham moved to strike out Beaufort and Martin and insert Pitt, which was adopted.

Mr. Mabson moved to strike out Edgecombe and called the ayes and noes, which were ordered.

The Senate refused to strike out, ayes 6, noes 25, as follows :



*Affirmative*—Messrs. Dunn, Hughes, Mabson, Mebane of Bertie, Thorne and Wynne—6.

*Negative*—Messrs. Albright, Askew, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Finger, Folk, Graham, Hilig Holt, Johnston, Latham, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Roberts, Sandifer, Scales, Standford, Stewart, Troy, Williams and Wilson—25.

Bill passed its second and third readings and was transmitted to the House without engrossment.

S. B. 874, bill to establish an Inferior Court in the city of Wilmington, on second reading and passed.

Bill read third time.

Mr. Stewart demanded the yeas and noes, which were ordered and the bill passed its third reading, yeas 18, noes 13 as follows :

*Affirmative*—Messrs. Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Folk, Graham, Heilig, Liles, Robinson, Roberts, Sandifer, Standford, Short, Troy and Williams—19.

*Negative*—Messrs. Albright, Dunn, Finger, Holt, Hughes, Mabson, Mebane of Bertie, Nicholson, Scales, Stewart, Thorne, Waddell and Wilson—13.

Transmitted to the House without engrossment.

H. B. 626, S. B. 798, bill to amend the landlord and tenant act, passed its third reading.

Bill to incorporate the Wilmington and New River Steam Navigation Company passed its second and third readings.

Bill to authorize the Commissioners of Hillsboro to sell the academy lots in that town passed its second and third readings.

S. R. 899, resolution authorizing the treasurer to receive certain moneys, passed its second and third readings.

H. B. 843, S. B. 888, bill to allot and distribute the judicial powers of the State, on second reading.

On motion of Mr. Folk, it was recommitted to the Judiciary Committee.

S. B. 890, bill supplemental to an act to establish a Department of Agriculture, passed its second and third readings.

H. B. 165, S. B. 896, bill to amend the Constitution in regard to inauguration of the Governor, on second reading.

Mr. Sandifer moved to strike out "first Monday in February" and insert "third Monday in January." Adopted.

Bill passed its second reading, ayes 36, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams and Wilson—36

*Negative*—None.

Bill passed third reading, ayes 31, noes 1, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Johnston, Latham, Mabson, Mebane of Bertie, Mebane of Rockingham, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell and Wilson—31.

*Negative*—Mr. Hughes—1.

Mr. Troy moved to reconsider the vote by which S. B. 839, bill to organize the militia, passed its third reading.

Mr. Crawford moved to lay that motion on the table.

Mr. Troy demanded the previous question, which was not sustained.



Mr. Askew demanded the ayes and noes on the motion to table, which were ordered, and the motion to table failed, yeas 10, noes 25, as follows :

*Affirmative*—Messrs. Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Graham, Sandifer, Standford and Williams—10.

*Negative*—Messrs. Albright, Askew, Bennett, Dunn, Ferguson, Finger, Folk, Heilig, Hughes, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robinson, Scales, Stewart, Short, Thorne, Troy, Waddell, Wilson and Wynne—25.

Mr. Folk moved to send a message to the House asking the return of the unengrossed bill.

Mr. Crawford moved to lay that motion on the table, on which the ayes and noes were ordered.

Mr. Troy demanded the previous question.

Mr. Folk's motion prevailed, ayes 24, noes 13, as follows :

*Affirmative*—Messrs. Albright, Askew, Boddie, Dunn, Ferguson, Finger, Folk, Heilig, Hughes, Johnston, Latham, Mabson, Mebane of Bertie, Mebane of Rockingham, Moore of New Hanover, Nicholson, Robinson, Scales, Stewart, Thorne, Troy, Waddell, Williams and Wilson—24.

*Negative*—Messrs. Bennett, Caho, Coke, Crawford, Cunningham, Dortch, Graham, Liles, Moore of Mecklenburg, Roberts, Sandifer, Standford and Short—13.

S. B. 875, bill to purchase lands adjacent to the penitentiary, on second reading.

Mr. Scales moved to amend "provided the purchase be made by the Penitentiary Board," which was adopted.

Mr. Graham demanded the ayes and noes, which were ordered and the bill passed its second reading, ayes 18, noes 13, as follows :

*Affirmative*—Messrs. Askew, Bennett, Crawford, Cunningham, Dortch, Finger, Graham, Heilig, Latham, Moore of



Mecklenburg, Nicholson, Robinson, Roberts, Scales, Standford, Stewart, Short and Troy—18.

*Negative*—Messrs. Albright, Boddie, Caho, Dunn, Ferguson, Folk, Hughes, Johnston, Mebane of Rockingham, Moore of New Hanover, Sandifer, Thorne and Waddell—16.

Bill read third time and passed.

S. B. 835, bill to provide an asylum for the colored insane of the State, passed its third reading.

Mr. Robinson moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table.

The latter motion prevailed.

Upon motion of Mr. Crawford, the Senate then went into executive session.

The executive session having adjourned the President called the Senate to order.

Mr. Graham moved that when the Senate adjourn it do so meet at 3:30 P. M. Prevailed.

Upon motion of Mr. Robinson, S. R. 892, resolution for the payment of certain clerks of the special committee to prepare a list of Magistrates, was taken up on second reading.

Mr. Folk moved to amend: "W V Clifton fifty dollars," which was adopted.

The resolution passed its second and third readings.

On motion of Mr. Liles, the Senate adjourned until 3:30 o'clock.

3:30 O'CLOCK P. M.

Senate called to order by Lient. Gov. Jarvis.

H. B. 384, S. B. 842, bill to incorporate Sugar Creek Presbyterian Church, in Mecklenburg county, passed its second and third readings.

H. B. 481, S. B. 861, bill to protect the farmers of Union county, passed its second and third readings.

H. B. 484, S. B. 796, bill to incorporate the Hook and Ladder Company of Tarboro, passed its second and third readings.

H. B. 323, S. B. 841, bill for the relief of Geo. W. Willoughby, late Sheriff of Anson.

On motion of Mr. Latham, it was indefinitely postponed.

H. B. 128, S. B. 840, bill in regard to publishing county exhibits, passed its second and third readings.

H. B. 365, S. B. 847, bill for the relief of J. J. Holt, late Sheriff of Union county was, on motion of Mr. Latham, indefinitely postponed.

H. B. 125, S. B. 845, bill to amend chapter 9, Battle's Revisal was, on motion of Mr. Latham, indefinitely postponed.

H. B. 735, S. B. 811, bill to incorporate the town of Swansboro, Onslow county, passed its second and third readings.

H. B. 643, S. B. 831, bill to prevent the felling of trees within high water mark of Fisher's river, Surry county, passed its second and third readings.

H. B. 364, S. B. 687, bill to amend Battle's Revisal in relation to the Deaf, Dumb and Blind Institution, on motion of Mr. Crawford was indefinitely postponed.

H. B. 557, S. B. 869, bill to amend the charter of Geor-

gia and North Carolina Railroad, passed its second and third readings.

H. B. 673, S. B. 843, bill in relation to draymen, passed its second and third readings.

H. B. 752, S. B. 864, bill to extend the time for the completion of certain locks and dams in Deep and Cape Fear rivers, passed its second and third readings

H. B. 414, S. B. 813, bill to amend the charter of the town of Morganton.

Amendments of the committee were adopted and the bill passed its second reading, ayes, 23, noes 4, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Finger, Graham, Heilig, Latham, Mebane of Bertie, Nicholson, Robinson, Roberts, Sandifer, Standford Thorne, Troy, Waddell and Wilson—23.

*Negative*—Messrs. Folk, Hughes, Johnston and Wynne—4.

H. B. 823, S. B. 883, bill to amend chapter 156, laws of 1872-'73, was, on motion of Mr. Crawford, laid on the table.

H. B. 461, S. B. 826, bill to incorporate Vanceboro, in Craven county, passed its second and third readings.

S. B. 849, bill to repeal chapter 57, public laws of 1874-'75, passed its second and third readings.

S. B. 726, bill to amend article 3 of the constitution was, on motion of Mr. Graham, laid on the table.

S. B. 777, bill to amend the constitution, article 10, to make the homestead a fee simple was, on motion of Mr. Latham, indefinitely postponed.

S. B. 628, bill to prohibit the sale of liquors within two miles of the Oxford Orphan Asylum, on second reading.

Mr. Graham moved to amend: "the law shall not apply to the town of Oxford, except the citizens so vote." Adopted.

Mr. Hughes moved to amend, by inserting "or court house in Oxford." Adopted.



Bill passed its second and third readings.

H. B. 262, S. B. 824, bill concerning the branch road of the Atlantic and North Carolina Railroad, in Onslow and Jones, on motion of Mr Askew was indefinitely postponed.

H. B. 693, S. B. 858, bill to change the name of the Haw River Iron Company, passed its second and third readings.

S. B. 732, bill concerning the Atlantic and North Carolina Railroad Company was, on motion of Mr. Latham, indefinitely postponed.

S. B. 517, bill to give Pamlico a Representative in the House was, on motion of Mr. Robinson, indefinitely postponed.

S. B. 881, bill in relation to the holding of courts in the first district was, on motion of Mr. Coke, indefinitely postponed.

S. B. 855, bill to repeal chapter 151, laws of 1874-'75, was, on motion of Mr. Cunningham, indefinitely postponed.

H. B. 708, S. B. 857, bill to amend an act regulating the taking of fish in New river, Onslow county, passed its second and third readings.

S. B. 854, bill to incorporate the Carolina Savings and Wrecking Company was, on motion of Mr. Robinson, indefinitely postponed.

H. B. 744, S. B. 859, bill to indemnify Lenoir county for the support of certain lunatics, on second reading.

Mr. Troy moved to recommit. Lost.

Bill passed its second reading and read third time.

Mr. Troy moved to lay on the table.

Mr. Folk asked for the ayes and noes, which were ordered, and the motion to table prevailed, ayes 18, noes 11, as follows :

*Affirmative*—Messrs. Albright, Bennett, Coke, Crawford, Cunningham, Dortch, Finger, Heilig, Holt, John-

ston, Latham, Liles, Nicholson, Roberts, Scales, Short, Troy and Waddell—18.

*Negative*—Messrs. Askew, Caho, Dunn, Folk, Mabson, Mebane of Bertie, Robinson, Standford, Stewart, Thorne, and Wynne—11.

H. R. 176, S. R. 882, resolution in reference to necessary repairs to State property, passed its second and third readings.

S. B. 764, bill to provide for the colored insane of the State was, on motion of Mr. Standford, indefinitely postponed.

S. B. 791, bill in reference to fees of tales jurors was, on motion of Mr. Latham, indefinitely postponed.

S. B. 886, bill to amend section 116, chapter 32, of Battle's Revisal, was, on motion, laid on the table.

S. B. 872, bill for the protection of hotel and boarding house keepers was, on motion of Mr. Finger, laid on the table.

Bill to protect the people of North Carolina from physicians was laid on the table.

S. B. 818, bill to protect the people from dishonest officials, was laid on the table.

S. B. 891, bill to amend the charter of the New River Canal Company was, on motion of Mr. Scales, indefinitely postponed.

On motion of Mr. Holt, the Senate adjourned until 7:30 to-night.

## EVENING SESSION.

MARCH 9th, 1877—7:30 P. M.

Senate met.

Lieut. Governor Jarvis in the chair.

Mr Graham, by consent, introduced S. R. —, resolution raising a commission of two Senators and three members of the House to examine the accounts of the State Treasurer.

On motion of Mr. Graham, the rules were suspended and the resolution passed its second and third readings and was transmitted to the House without engrossment.

Mr. Holt, by consent, introduced S. B. —, bill for the relief of the North Carolina Agricultural Society. Placed on the Calendar.

Message from the House of Representatives, announcing that it had refused to concur in the amendment to bill concerning the Asylum for the Deaf, Dumb and Blind, and asking for a Committee of Conference.

Mr. Holt moved that the Senate insist upon its amendment and agree to a Conference Committee, which prevailed.

Upon motion of Mr. Short, a message was sent to the House informing it of our readiness to proceed at 8:30 to the election of officers of the Criminal Courts of Raleigh and Wilmington.

Engrossed amendments to S. B. 590, bill to raise a committee to confer with the bond holders of the State, were concurred in.

House amendments to Senate resolution to provide for the indexing of the Journals were concurred in.

Mr. Troy moved to reconsider the vote by which S. B.



839, bill for the organization of the militia, passed its third reading, which prevailed.

Question recurred upon the passage of the bill on its third reading.

Mr. Troy moved to amend : change the title of the bill to "State Guards." Adopted.

Bill then passed its third reading and was transmitted to the House without engrossment.

Bill in relation to piloting in the waters of Carteret county passed its second and third readings.

H. B. 758, bill to incorporate the Statesville and Taylorsville Transportation Company, passed its second and third readings.

S. B. 900, bill for the relief of the North Carolina Agricultural Society, passed its second and third readings and was transmitted to the House without engrossment.

The President announced Messrs. Latham, Albright and Nicholson as Senate branch of Conference Committee on the Insane Asylum.

H. B. 366, S. B. 738, bill to establish a boundary line between the counties of Hyde and Tyrell was, on motion of Mr. Liles, indefinitely postponed.

H. B. 630, S. B. 862, bill to repeal an act to remove obstructions from Beaufort river was, on motion of Mr. Askew, recommitted to the Committee on Corporations.

S. R. 526, H. R. 96, resolution to pay the Governor of the State the proceeds of the rent arising from the Governor's Mansion, passed its second and third readings.

H. B. 669, bill to prohibit the sale of liquor near Union and Morrison's Churches, Macon county, passed its second and third readings.

S. B. 885, bill to amend chapter 247, Laws of 1874-'75, was, on motion of Mr. Cunningham, indefinitely postponed.

H. B. 755, S. B. 893, bill to amend section 8, chapter 91, Battle's Revisal, passed its second and third readings.

S. B. 884, bill to repeal sections 15 and 16, chapter 90, Battle's Revisal.

On motion of Mr. Graham, it was indefinitely postponed.

H. B. 823, S. B. 883, bill to amend chapter 156, Laws of 1872-'73, passed its second and third readings.

Mr. Sandifer moved to reconsider the vote by which the bill passed, and moved to lay that motion on the table. The latter motion prevailed.

On motion of Mr. Finger, the Senate went into executive session.

The Senate called to order, the executive session having adjourned.

S. R. 901, resolution in favor of W. V Clifton, passed its second and third readings and was transmitted to the House without engrossment.

H. R. 194, S. R. 850, resolution on adjournment, passed its second and third readings.

On motion of Mr. Finger, the Senate adjourned.

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## EIGHTY-FIRST DAY.

SENATE CHAMBER, March 10th, 1877.

Senate met.

Lieutenant Governor Jarvis in the chair.

The reading of yesterday's Journal was dispensed with. Mr. Bennett was appointed a member of the Conference

Committee on the bill to provide for the support of the Institution for the Deaf, the Dumb and the Blind, in the place of Mr Latham.

The following bills were introduced, passed the first reading and were referred, or otherwise disposed of, as follows :

By Mr Askew : S. B. 910, bill to regulate the fees of clerks of courts in certain cases. Placed on the Calendar.

By Mr. Troy : S. B. 911, bill to amend Battle's Revisal concerning lunatics. Placed on Calendar.

From the Committee on Engrossed Bill :

By Mr. Waddell : S. B. 849, a bill to repeal chapter 57 of the Public Laws of 1874-'75;

S. B. 628, bill to prohibit the sale of spirituous liquors in two miles of the Orphan Asylum, in Granville county;

Senate amendment to H. B. 128, S. B. 840.

Reports from Standing Committees were submitted as follows :

From Committee on Engrossed Bills :

By Mr. Waddell : S. B. 783, a bill to incorporate the Wilmington and New River Steam Navigation Company ;

S. R. 892, resolution in favor of clerks to the Committee on Nominations of Justices of the Peace and for other purposes ;

S. B. 875, a bill for the purchasing of land adjoining the Penitentiary ;

Senate amendment to H. B. 165, S. B. 896, a bill to alter the Constitution of North Carolina, changing the time of commencement of the Governor's term of office, &c ;

S. B. 591, a bill to authorize the Commissioners of Hillsboro to sell the Academy and lots in said town;

S. B. 835, bill to provide an Asylum for the colored insane of the State.



From Committee on Internal Improvements :

By Mr. Johnston : H. B. 827, bill to distribute convicts on the several roads to which they have been allotted, recommending it do net pass.

From Committee on Corporations :

By Mr. Albright : H. B. 668, S. B. 874, bill to incorporate Trustees of Antioch Methodist Church, in Mecklenburg county, recommending it do pass ;

H. B. 783, S. B. 898, bill to incorporate Mill Creek Baptist Church, recommending it do pass.

By Mr. Nicholson : H. B. 784, S. B. 897, bill to incorporate Zion Methodist Church, in Union county, recommending it do pass.

Message from the House of Representatives, proposing to go into the election of officers of the Criminal Courts of Wake and New Hanover counties at 11 o'clock.

The Senate concurred, and the President appointed Messrs. Short and Liles as tellers on the part of the Senate.

Nomination, being in order, Mr. Cunningham nominated for Judge of the Criminal Court of Wake county, George V. Strong.

The following Senators voted for Mr. Strong :

Messrs. Albright, Askew, Bennett, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Liles, Moore of Mecklenburg, Nicholson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams and Wilson—29.

Mr. Dortch nominated for Solicitor of Wake county Criminal Court, Thomas P. Devereux.

The following Senators voted for Mr. Devereux :

Messrs. Albright, Askew, Bennett, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Liles, Moore of Mecklenburg,

Nicholson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams and Wilson—29.

Mr. Cunningham nominated for Clerk of Wake county Criminal Court, Weston R. Gales.

The following Senators voted for Mr. Gales :

Messrs. Albright, Askew, Bennett, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Liles, Moore of Mecklenburg, Nicholson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Troy, Waddell, Williams and Wilson—28.

Mr. Graham nominated for Judge of New Hanover Criminal Court, Hon. O. P. Meares.

The following Senators voted for Mr. Meares :

Messrs. Albright, Askew, Bennett, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Liles, Moore of Mecklenburg, Nicholson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams and Wilson—29

Mr. Scales nominated for Solicitor of New Hanover Criminal Court, B. R. Moore.

The following Senators voted for Mr. Moore :

Messrs. Albright, Askew, Bennett, Caho, Coke, Crawford, Cunningham, Ferguson, Finger, Folk, Graham, Heilig, Johnston, Liles, Moore of Mecklenburg, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams and Wilson—29.

Mr. Liles nominated for Clerk of New Hanover Criminal Court, John W. Dunham :

The following Senators voted for Mr. Dunham :

Messrs. Albright, Askew, Bennett, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Graham, Heilig, Holt, Johnston, Liles, Moore of Mecklenburg, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams and Wilson—29.

Message from the House of Representatives announcing



that it had refused to concur in Senate amendments to bill to allot and distribute the judicial powers of the State.

The Senate refused to recede from its amendments, and the chair appointed Messrs. Coke and Graham as the Senate branch of a Committee of Conference.

By consent, Mr. Wilson introduced S. R. 713, resolution to print an additional number of the laws of this session.

The rules were suspended and resolution read second time and passed.

Passed third reading and transmitted to the House without engrossment.

H. R.——, S. R.——, resolution in favor of B. K. Dickey, passed its second and third readings.

Report of the Conference Committee on S. B. 784, bill for the support of the Asylum for the Deaf, Dumb and Blind, was adopted.

S. B. 911, bill to amend Battle's Revisal concerning lunatics, on second reading.

Mr. Sandifer called for the ayes and noes, which were not ordered.

Bill passed its second and third readings.

Mr. Johnston moved to reconsider the vote by which the bill passed its third reading, and moved to lay that motion on the table.

The latter motion prevailed.

Ordered transmitted to the House without engrossment.

S. B. 414, bill to amend the act incorporating the town of Morganton, passed its second and third readings.

H. B. 838, bill to authorize the Commissioners of Beaufort county to levy a special tax, passed its second reading—ayes 27, noes 0, as follows :

*Affirmative*—Messrs. Albright, Bennett, Calhoun, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Johnston, Liles, Moore of Mecklen-



burg, Nicholson, Roberts, Sandifer, Scales, Stanford, Stewart, Short, Waddell, Wilson and Williams—26.

*Negative*—None.

Bill to authorize the Commissioners of Washington county to levy a special tax passed its second reading, ayes 26, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Caho, Coke, Crawford, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Hughes, Johnston, Moore of Mecklenburg, Robinson, Roberts, Scales, Stanford, Stewart, Thorne, Troy, Waddell, Williams and Wilson—26.

*Negative*—None.

Bill to regulate the fees of clerks of the Superior Courts, in certain cases, on second reading.

On motion it was indefinitely postponed.

Bill to distribute convicts on the different works of the State, on second reading.

On motion it was indefinitely postponed.

Bill to confirm the change of the lines between Forbush and Liberty townships, Yadkin county, on second reading.

Bill passed its second and third readings.

Bill to allow the Commissioners of Robeson county to levy a special tax passed its second reading, ayes 28, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Heilig, Holt, Hughes, Johnston, Liles, Moore of Mecklenburg, Nicholson, Roberts, Sandifer, Scales, Stanford, Stewart, Short, Thorne, Troy and Waddell—28.

*Negative*—None.

Bill appropriating \$100 to mark the headstones to the graves in the Confederate cemetery, at Raleigh, passed its several readings.

Mr. Dortch submitted a protest against the action of the

Committee on Magistrates, and asked that it might be spread upon the Journal, which was ordered.

Mr. Liles offered the following protest :

"I hereby present my respectful protest against the action of the General Assembly of North Carolina, at its present session, in the election and appointment of Republican magistrates, white and colored. Most emphatically and earnestly do I protest against such appointment in Democratic counties or communities.

"E. R. LILES,  
Senator 27th District.

Mr. Caho asked leave to append his name to the protest of Mr. Liles, which, on motion, was refused.

On motion of Mr. Graham, the Senate reconsidered the vote by which it had allowed Mr. Dortch to spread his protest on the Journal.

Bill supplemental to an act to divide the State into nine Judicial Districts passed its second and third readings.

Mr. Sandifer, of tellers to superintend the election of Justices of the Peace for the several townships of the various counties of the State, submitted the following report :

"We the undersigned, tellers on the part of the two Houses of the General Assembly to superintend the election of Justices of the Peace, by the General Assembly, on Thursday, March 8th, 1877, beg leave to report that we have examined the rolls of the two Houses and find the following named persons received a majority of the votes cast in each House of the General Assembly for Justices of the Peace in the various township of the several counties of the Staie, the first named persons in each township being elected for two years, the second named persons in

each township being elected for four years, and all the others in each township being elected for six years, as follows, to-wit :

ALAMANCE COUNTY.

Patterson's Township : Roddy Kimbro, Sylvester Spoon, Jno P Albright.

Coble Township : Frederick Graves, E S Eules, J R Garrett.

Boon Station Township : John Wagoner, John Foster, G D Cobb.

Morton's Township : Asa Isley, C Brand, Robert Faucett.

Faucett Township : J A Graham, Albert Murray, W A Lee.

Pleasant Grove Township : Wm H Barnwell, F C Murray, Alvis King.

Albright's Township : Isaac Holt, sr, D S Thompson, Washington Woods.

Newlin's Township : Thos Stafford, Fowler Vestal, Wm J Stockard.

Thompson's Township : Jas Newlin, Jno Newlin, Thos Morrow.

Melville Township : H W Lashley, C Sellars, D W Kerr.

Graham Township : Thomas C Foust, Frank Isley, J H N Clendenin, Wm H Turrentine, J L Scott.

ALEXANDER COUNTY.

Miller's Township : Thos A Hudson, H H Drum, Jas T W Hedrick.



Sharpe's Township : Julius A Beckham, A T Marsh, R M Sharpe.

Gwaltney's Township : Abraham Mayberry, Reuben O'Bennett, Wm C Linney, jr.

Sugar Loaf Township : Wesley Laws, W S Daniel, W W Gryder.

Little River Township : A L D Bumgarner, Thos Barnes, Reuben Watts.

Ellendale Township : William S Teague, F B Rees, J C Bell.

Wittenburg's Township : Zack Moretz, Wm Fry, Peter E Echerd.

Taylorville Township : Thos Little, Wm J Harrington, D McMattherson, A C McIntosh.

#### ALLEGHANY COUNTY.

Cherry Lane Township : A M Smith, J T Roberts, G W Thompson.

Glade Creek Township : W H Joins, Clarke Higgins, T C Douglas.

Gap Civil Township : A J Waggoner, George McReves, C J Edwards, J M Brown.

Cranberry Township : Josiah Cordell, W B Reves, J H Daughton.

Prather's Township : Claude Cox, Nathan Weaver, Horton S Reves.

Piney Creek Township : Jno S Parsons, N H Van Hoy, Wm Halsey.

#### ANSON COUNTY.

Wadesboro Township : Henry W Ledbetter, Jas A Leak, Richard P Allen, Wm A Rose.

Lilesville Township: Wm T Williams, Wm T Smith, Jas B Lindsey, W J Cornwall.

Morven Township: John J Dunlap, Vincent Parsons, Wm E Smith.

Gulledge's Township: Thos J Hardison, John Robinson, W Dorsey Webb.

White's Store Township: Francis Crowder, Jas T Redfearn, Edmond D Gaddy.

Lanesboro Township: Isaac M Willams, Harvey T Knotts, Vernon Allen, Jas G Branch.

Burnsville Township: Columbus C Braswell, Hosea P Meggs, Francis M Thomas.

#### ASHE COUNTY.

Jefferson Township: Jacob Graybill, R P Coldiron, G H Hamilton, J P Waugh.

Old Fields Township: Thos Ray, R F Hardin, Silas Morphew.

Pine Swamp Township: Thos S Bouchell, A D Coles, E E Phillips.

Peak Creek Township: W B Carson, Lafayette Benizer, G W Woodie.

Chestnut Hill Township: J C Plummer, J H Carson, J B McMillan.

Hilton Township: Wm Jones, Poindexter Blivins, S Pennington.

Piney Creek Township: Pat Graham, James Eller, Jas M Grimsley.

Horse Creek Township: Isham Gass, James Greer, Jack Ham.

Stagg Creek Township: David Sutherland, Peter Ashley, Gideon Weaver.

Laurel Township: John Pennington, B H Neal, David Worth.

North Fork Township : John J Brown, Jos Johnson, Wm Knight.

BEAUFORT COUNTY.

Pantego Township : Ira H Topping, Augustus Latham, sr, Reuben Allen.

Bath Township : Wm O Respass, J F Crawley, B F Godley, A W Satterthwaite.

Long Acre Township : Thos Isiah Waters, Marshal Conkleton, O H P Tankard.

Washington Township : J C Buchanan, B F Havens, William B Campbell, R T Hodges, R W Horton, Josephus Peed.

Chockawinity Township : David Gaskill, Wm H Patrick, Wm H Buck.

Richland Township : Edward Tuthill, B F Mayhew, W A Thompson.

BERTIE COUNTY.

Windsor Township : D L Cale, C T Harden, Peter Roscoe, Moses Gilliam.

Mary Hill Township : Giles Donald, J C Freeman, J B Martin.

Mitchell's Township : Starkin Cowand, Abram Jenkins, J W Mitchell.

Roxabell Township : Henry Parker, W J Capehart, W J Bishop.

Woodville Township : Watson Lewis, Thos W Thompson, J S Griffin.

White's Township : Mark Law, Simon T Hughes, J Thos Rayner.



Snakebite Township : W J Cherry, B F King, jr, Robt R Taylor.

Coleraine Township : J Wesley Greene, Wiley D Hayes, Alpheus Nowell, David A Watford.

#### BLADEN COUNTY.

Elizabeth Township : John Shaw, Taylor Johnson, J W Clark, B F Renalder.

Bethel Township : G T Allen, C W Lyon, W H White,

Haller Township : E W Esters, W O Robinson, J W Pendil.

Bladenboro Township : David Hester, C W Williams, C O Mercer.

Abbottsburg Township : J H Thompson, R J McEwen, Isaac H Smith.

Brown Marsh Township : Jas M Pearce, Jno N Kelley, A K Cromartie.

White's Creek Township : Rufus Register, Daniel J Clarke, W T Clarke.

Carver's Creek Township : T O Brown, J C Daniel, A H Perril.

French's Creek Township : Austin Allen, John T Croom, ohn M Johnson.

Colley Township : John Murphy, R M Jessup, C T Parker.

Turnbull Township : J C Melvin, R M Taton, John S Melvin.

White Oak Township : C Martin, John T Council, R B Cain.

#### BRUNSWICK COUNTY.

North West Township : John C Rowell, Samuel R Chinnis, Dickson McRae.

Town Creek Township : Jno B Evans, Daniel R Walker  
Jno D Taylor.

Smithville Township : Daniel Mercer, Thos M Williams,  
Robt W Woodsides, Phillip Prioleau.

Lockwood's Folly Township : Jesse Lancaster, Rufus D  
Hewitt, Washington Holden.

Shallott Township : Peter Rourk, John H Brooks, Thos  
Hickman.

Waccamaw Township : W Scott Milliken, Noah B Ben-  
nett, B Lewis Butler.

#### BUNCOMBE COUNTY.

Avery's Creek Township No 1 : Marion S Glenn, P J  
Israel, Richard Ledbetter.

No 2 : Joshua R Jones, W H Moore, Jesse W Mor-  
gan.

No 3 : S F Young, Elijah Morgan, Geo W Howell.

No 4 : Geo W Hampton, Fidelia Sluder, sr, J E Rogers,  
Jno B Clayton.

No 5 : Jno W Well, E J Worley, Thos J Ferguson.

No 6 : W J Alexander, J L Murray, R C Clayton.

No 7 : Bedford Sherrill, Jason Ashworth, Thomas J  
Young.

No 8 . William Y Porter, George N Alexander, Robt  
C Patton.

No 9 : N A Penland, John M Ledford, C B Way, A J  
Butler, Albert T Summey, I B Sawyer.

No 10 : James Sawyer, Wm R Baird, Wm M Weaver,  
Chas A Nichols.

No 11 ; William C Eller, Robert V Blackstock, W B  
Smith.

No 12 : John B Morgan, Hiram S Carson, Harvey P  
Buckner.

## BURKE COUNTY.

Silver Creek Township : Jno F Ehley, David J Hennessee, Wm N Thompson.

Linville Township : Jos B Hunter, Robt M Kincaid, Joshua Gibbs.

Upper Creek Township : J Monroe Kincaid, Jno Nance, Israel P Beck.

Quaker Meadows Township : J Sidney Flemming, E Fletcher Walker, Calvin Houk.

Lower Creek Township : John Sims, W S Sudderth, Ashbury Puett.

Lovelady Township : Jno Rector, Julius Huffman, J W Berry, J P Shields (Excelsior town).

Icard Township : W R Aiken, W Arnold Wilson, L F Warlick.

Lower Fork Township : P P Mull, Reilley Tallent, Amos Huffman.

Upper Fork Township : J W Carswell, Jonas Ramsey, Dr F Denton.

Morganton Township : E M Terree, Jesse H Howard, Wm E Powe, George P Erwin.

## CABARRUS COUNTY.

Township No 1 : F A Archibald, H B Parks, J M Alexander.

No 2 : Theophilus Cannon, J B Harris, John H Morrison.

No 3 : E G Irwin, T A Flemming, E L Bell.

No 4 : W H Winecoff, C M Goodnight, Peter Glass.

No 5 : Wm R Blackwelder, Van Walter, Joseph Meisenheimer, jr.

No 6 : Lawrence Klutts, John Faggart, Geo E Ritchie.



No 7: John H Moose, Solomon Dry, Moses Peck.

No 8: Daniel Bangle, Titus Moser, E D Barringer, H L McAlister.

No 9: Martin Widenhouse, jr, W H Orchard, Felix A Klutts.

No 10: Daniel Roger, J Hartsell, Julius Klutts.

No 11: C E Sides, Jacob Dove, R R Isenhour.

No 12: W A Patterson, James Brown, W J Hill, J S Fisher, C G Montgomery.

#### CALDWELL COUNTY.

Lenoir Township: David Hood, A J Corpening, N A Miller, Pleasant Moore.

Lower Creek Township: Jno G Ballew, Geo W Sherrill, Thos S Hoover.

Lovelady Township: Harvey Aberneathy, Calvin Jones, J A Bush.

Little River Township: Thos Sherrill, Isaac Oxford, Elkanah Flowers.

King's Creek Township: Thos Barnett, James M Isbell, Allen Laxton.

Buffalo Township: Samuel Patterson, D E Bower, Edmond Jones.

Patterson Township: Robt Holloway, Patterson Coffey, N H Gwin.

Globe Township: Lott Estes, Judson Moore, J N Corpening.

John's River Township: H W Coffey, Allison Pickens, J N Harshaw.

## CAMDEN COUNTY.

Shiloh Township: G C Barco, Jos D Berry, L B Sanderlin.

Court House Township: T B Boushal, Henry W Scott, Thos Palmer.

South Mills Township: William C Pearce, Jno C Tatem, Peter C Pearce.

## CARTERET COUNTY.

Township No 1: Benjamin Taylor, John W Sanders, Jeremiah Walson.

No 2: M F Arrendell, L T Oglesby, T C Davis, W S Bell sr.,

No 3: Daniel Quinn, William Hardesley, Joshua T Dennis.

No 4: W F Howland, Wm Alexander, John B Russell.

No 5: J F Wade, D S Guthrie, Cull Pigott.

No 6: Whittington Davis, L W Styron, W L Lewis.

No 7: Wallace H Styron, Geo W Smith, John L Goodwin.

No 8: Thomas Robinson, Benjamin R Dixon, Robert Wallace.

## CASWELL COUNTY.

Milton Township: Jno L Staton, Nat M Richmond, A L Bell, Jno L Irvine.

Dan River Township: Jno Carter, Wm L Harraway, Samuel B Cobb.

Pelham Township: W H Gatewood, W B Swann, Jno D Kesse.

Locusthill Township: Howard A Cobb, Stephen Neal, G J Farrish.

Yanceyville Township: Monroe Oliver, H F Brandon, Jos C Pinnix.

Leasburg Township: Edward W Lea, A B Newmar, James P Williams.

Hightower Township: Jno A Johnson, F L Warren, Jerry Smith.

Anderson's Township: Wm H Stainback, Jno S Miles, Jno B Alred.

Stony Creek Township: Wagstaff, Maynard, Richard Miles, George Pinnix.

#### CATAWBA COUNTY.

Newton Township: Babel Whitner, Logan Smyer, Caleb W Herman, Hiram A Forney, Peter F Smith.

Cline's Township: Q M Smith, Calvin Sigmon, P K Little.

Hamilton Township: Moses Trollinger, Simeon C Brown, Logan N Wilson, W G James.

Mountain Creek Township: A D Shuford, Alexander Clark, M M Gabriel

Caldwell's Township: Rufus England, Jacob M Wilkinson, W A Huit.

Jacob's Fork Township: Philip Burns, Geo M Yoder, A G Corpening.

Bandy's Township: Elkanah Ramsour, M F Hull, Jacob Mosteller,

Hickory Township: Moses Albernathy, A L Shuford, Abel Whitner, J H Bruns.



## CHATHAM COUNTY.

Albright's Township : Wm O Kirkman, W B Carter, W A Lineberry.

Baldwin's Township: I B West, T B Farrar, A J Wilson.

Bear Creek Township : S W Brewer, Jno W Calder, Jas I Lane.

Cape Fear Township : J E Bryan, A J Bynum, J H Mimms, Jno W Scott, (town of Haywood).

Centre Township : Benj G Womble, J F Mann, Wm T Petty, Jno A Womack, (town of Pittsboro).

Hadley's Township : Oliver Clarke, J E Perry, W T Dorsett.

Matthew's Township : Merritt Rosson, J A Gilliland, J A Houston.

Hickory Mt Township : N B Dunlap, Jas B Guthrie, Jno A Pugh.

Gulf Township : Jno F Ansley, J F Rivers, R L Jenkins.

Oakland Township : Jno A Pattishall, J W McPherson, E L Tyser.

New Hope Township : Jas R Thomas, Alvin Wilson, J D Brazington.

Williams Township : Jno M Burnett, E W Atwater, C R Scott.

## CHEROKEE COUNTY.

Murphy Township : R D McCombs, S W Davidson, Pinkney Abernathy, W J A Strange, Ancil Rogers.

Valley Town Township : Henry Moss, J W King, Jos T Young.

Beaver Dam Township : C C Berry, Wm Dockery, A J Evans.

Shoal Creek Township : Jasper Burnett, W B Nelson, Wm Bryant.

Hot House Township : J R Hyatt, J B Fain, Wm Watson.

Notla Township : Robt Bruce, Jno S Hatchett, Daniel K Moore.

#### CHOWAN COUNTY.

Edenton Township : Moses Hobbs, Isaac Smith, W H Bonner, J H Garrett, J R B Hathaway.

Yeopin Township : W J Webb, P M Warren, John Roberts.

Middle Township : E J Burke, W P Jones, John A Bunch.

Upper Township : Jacob N Hudson, W T Woodley, G T Rountree.

#### CLAY COUNTY.

Hayesville Township : T H Hancock, G M Flemming, A J Curtis.

Brass Town Township : James M Bell, G C Norton, Wm F Plott.

Hiwassee Township : Jas K Kirby, Wm H Hogshead, W P Crawford.

Tusquitte Township : P H Tigers, Wm H Johnson, Jas M Alexander.

Shooting Creek Township . J Ned Kitchens, J B Reynolds, M C Birch.

## CLEAVELAND COUNTY.

Township No 1 : Draton Heton, J F Ray, L O Lemmons.

No 2 : W H Greene, O W Holland, Henopen Blanton.

No 3 : S D Randall, J A Roberts, Allen Betts.

No 4 : A V Falls, D J Hardin, S H Anthony, L M Logan.

No 5 : Addison Oates, J Riley Moss, P B Harman.

No 6 : F L Hoke, D D Suttle, W P Love, M N Gold, Samuel Wilson.

No 7 : S P Magness, J H Ream, A J Ervin.

No 8 : D D Lattimore, R G Wells, F Y Hicks.

No 9 : Andrew Beam, J E Rollins, Samuel Elam, R W Falls.

No 10 : J Z Falls, jr, John Cook, sr, J A Mull.

No 11 : Tilford Price, A C Whisnant, W H Hull.

## COLUMBUS COUNTY.

Ransom Township : Z B Murrell, D C Allen, Cowan.

Lake Waccamaw Township : J A Clark, Melton Campbell, H B Short, jr.

Bogue Township : Thomas Barefoot, J P Pearce, A G Smith.

Welsh's Township , A J Troy, S W Smith, J W Rouse, sr.

Whiteville Township : L J Yeates, L W Stanly, C D Baldwin, J C Pridgen.

Western Prong Township : Leonard Jordan, J E Powell, M W Pridgen.

Tatum's Township : Laban Williamson, W W Brown, jr, J C Lennon.



Fair Bluff Township : Dempsey Coleman, Burwell Smith, W H Vann, J J Buff kin, B F Barden.

Williams' Township : Jackson Powell, M N Harrelson, J P Stanley.

Bugg Hill Township : J J C Gore, E W Fowler, Jesse S Cox.

Lee's Township : J J Long, J W Gore, C C Gore.

#### CRAVEN COUNTY.

Township No 1 : Jas L Murphy, Chas B Stubbs, Wm H Ellison.

No 2 : Willis D Pettipher, Samuel W Latham, Jas A Ernul.

No 5 : Edward A Carraway, Chas H Edwards, Geo H Grover.

No 6 : James H Hunter, Edward Bull, Thos H Morrison.

No 7 : Jesse Brooks, Council Hardison, Wm Foy.

No 8 : Edward Street, Enoch Wadsworth, E R Dudley, Thos Stanley, (City of Newbern) E G Hill, Wm Hay, Wm G Brinson, Alex Bass, Jas Campbell, Jas A Bryan.

No 9 : James W Biddle, C L Wetherington, Cicero Green.

#### CUMBERLAND COUNTY.

Seventy-First Toweship : Jno A McPherson, Duncan Shaw, Duncan Gillis. .

Rockfish Township : Malcom McInnis, J W Emmitt, Benj Morgan.

Gray's Creek Township : Jesse B Carver, Neil McQueen, Wm Alderman.

Quewhiffle Township : John McRae, Peter Monroe, J C Currie.

Cross Creek Township : D G McRae, A M Campbell, Daniel M McDonald, W C McDuffie, John C Poe, Thomas Powers, John L Allen, Charles K Hall, Edward P Powers.

Little River Township : Alex McNeil, A A Jonnston, John McLeod.

Cedar Creek Township : W B Draughton, Kelley Sessoms, Thos G Hall.

Flea Hill Township : Arthur A Williford, W J Sessoms, Thos W Devane.

Black River Township : A D McNeil, Isaac W Godwin, H L Hall.

Beaver Dam Township : Maurace Hall, Jas M Jessup, David S Ballard,

Carver's Creek Township : W H King, Chas D Nixon, Gray Culbreth.

#### CURRITUCK COUNTY.

Moyock Township : Edward Holt, Hillory Simmons, Thos Sanderlin.

Crawford Township : H B Ansill, S P Wilson, W H Cowell.

Fruitville Township : Cornelius Jones, A Smith, Henry White.

Poplar Branch Township : G A Griggs, G G Gallop, J M Woodhouse.

Atlantic Township : H W Scarborough, B F Tillett, John Morse.

#### DARE COUNTY.

Hatteras Township : David N Basnight, Nasa S Williams, Redding R Quidley.

Kennekeet and Chickamacomico Township: Cyrus R Hooper, Israel Midget, Ignatius Seaboro.

Nag's Head and Roanoke Township: David Austin, J B Etheridge, Isaac C Meekens.

Croatan and Stumpy Point Township: Thos R Mann, Richard Hooper, Edward Mann.

East Lake Township: Thos Owens, Wm H Basnight, Thos M Sandlin.

#### DAIVDSON COUNTY.

Lexington Township: James Smith, Henry L Link, Bennett Nooe, Joseph H Leonard.

Cotton Grove Township: J H Miller, Wm Hicks, A J Owen.

Boon Township: A G Boggs, G F Smith, W D Meacham.

Tyro Township: John H Koonts, F M Thompson, H H Hartley.

Yadkin Township: C C Byerly, D L Michael, J S Delapp, Gaither Walser.

Clemmons ville Township: J Walker, W B Hampton, S S Jones.

Arcadia Township: J H Miller, G W Burke, Elisha Raper.

Midway Township: B F Beckerdite, Hugh Lindsay, Solomon Mock.

Abbott's Creek Township: N B Orrell, Jacob Yokley, J Madison Raper.

Thomasville Township: Isham Reagans, Alex Conrad, J R Keen, A H Kindell.

Imbler's Township: H C Hedrick, S B Lore, E P May.

Silver Hill Township: Abram Cross, Willie Crouse, Levi Hedrick.



Emmons' Township: A Peacock, Daniel Ward, John Plummer.

Jackson Hill Township: Louis Surratt, A Newsom, J C Skeen.

Alleghany Township: John G Surratt, Stephen Bailey, W H Badgett.

Healing Springs Township: C K Holmes, J M Daniels, W P Redwine.

#### DAVIE COUNTY.

Mocksville Township: Chesire Sain, W F McMahon, Jas L Adams, Braxton Bailey.

Jerusalem Township: Samuel Tatum, J C Foard, A T Grant.

Fulton Township: S J Hanes, H E Robertson, J R Williams.

Farmington Township: Jas N Brock, W Kelley Gibbs, G W Johnson.

Clarksville Township: Geo W Bailey, P H Cain, Isaac H Roberts.

Calahan Township: W H Davault, Beal Ijams, Chas Anderson.

#### DUPLIN COUNTY.

Kenansville Township: B F Purcell, J E Matthews, G G W Carroll, P S Watson.

Limestone Township: E W Farrior, Wm Sardlin, Geo L Smith.

Cypress Creek Township: Raifore Lanier, Nicaner James, Amos Lanier.

Island Creek Township: D W Bland, J E Pigford, J F Wallace, J E Fussell, W J Boney, T W Boney.

Rock Fish Township : D S Williams, J J Ward, R C Johnson.

Magnolia Township : O J Carroll, J D Usher, J W Taylor.

Warsaw Township : D G Morissey, W H Winders, T D Pierce, Daniel Bowden.

Faison's Township : M A Lewis, J B Oliver, Matthew Moore, A D Hicks.

Wolfecrape Township : B H Walker, Thadeus Jones, Joel Lofton.

Albertson Township : W H Grady, J E Kornegay, Jno Maxwell.

Dail's Township : E B Herring, Louis Herring, Peter Kornegay.

Smith's Township : John G Smith, J R Miller, G L Swinson.

#### EDGECOMBE COUNTY.

Township No 1 : George Mathewson, Jas M Spriggins, Wm M Pippin, Jos B Coffield, Wm S Clarke.

No 2 : Frank W Whitted, John M Jenkins, John L Cobb.

No 3. James W Howard, Thomas L Mayo, William G Turner.

No 4 : Eli Howell, Richard H Gatlin, Dempsey B Batts.

No 5 : Henry L Leggett, Henry S Bunn, Jordan W Johnson.

No 6 : Jno M Cutchen, Marcus J Battle, Wm E Lewis, Jos H Cutchen.

No 7 : David H Barlow, Jas K Lawrence, Jos J Battle, Wm H Whitehead.

No 8 : Frank Dew, Charles L Vines, Leonidas Little, J E Porter.

No 9 : Richard J Johnson, Elisha Harrell, R W Atkinson.

No 10 : F Wanston, J I Lewis, Edward P Sharpe.

No 11 : Wm H Knight, Spencer L Hart, Jesse J Garrett.

No 12 : Chas L Killebrew, Henry G Worsley, Jas H Chapman, Geo W Hammond.

No 13 : Patrick H Edge, Solomon T Cherry, Bennett P Jenkins.

No 14 : David Williams, Wells Dawes, William E Bradley.

#### FRANKLIN COUNTY.

Louisburg Township : J A May, G G Gill, B T Ballard, P J Brown.

Franklington Township : Norman Terry, John Perry, A S Gill, W H Mitchell.

Freeman's Township : Thos J Cracker, D W Spivey, L W Joyner, W K Martin, jr.

Hayesville Township : N H Murphy, Eugene F Cooke, J J Jones.

Gold Mine Township : A M Hamlette, A D Williams, Joshua Perry.

Cedar Rock Township : A Thomas, W C Lankford, R E Collins.

Cypress Creek Township : James M White, George W Harris, W A Moore.

Dunn's Township : W K Phillips, F P Pearce, W S Harris.

Harris' Township : B F Wilder, A J P Harris, W R Bridgers.



## FORSYTHE COUNTY.

Winston Township : Augustus Fogle, R D McCouston, John Masten, Martin Grogan, Thomas T Best, Walter B Johnson, R L Patterson, John W Fries.

South Fork Township : Theophilus Kimel, W L Swaim, John Boyer.

Old Town Township : John A Styers, Calvin H Hauser, Henderson Cox.

Broad Bay Township : P E Light, Chas Rothrock, John C Smith

Abbott's Creek Township : Jno H Chamberlain, Clayton Snider, James Motsinger.

Middle Fork Township : Wm A Lowry, Calvin Crews, Peyton A Cox.

Kenersville Township : J H Morris, Geo W Wilson, A S Beard, Wm G Kerner.

Belew's Creek Township : D S Ham, Fuel Fulton, Romulous S Linville.

Salem Chapel Township : Thomas M Marshall, Henry Marshall, T J Valentine.

Bethania Township : Abram, P Styers, John N Anderson, Nathaniel F Sullivan.

Old Richmond Township : Elijah Reed, Thomas Moser, Washington Payne.

Vienna Township : Henry R Lehman, Brantley Hendrix, Alex Transon.

Lewisville Township : Coston E Harper, Jonah P Brinkley, L C Laugenour.

## GASTON COUNTY.

Cherryville Township: W O Harreldson, Jno T Carpenter, Jacob Kiser, Henry Summet.

Dallas Township: Caleb Pasom, Marion D Friday, F W Thompson, Miles Weathers.

River Bend Township: A P Rhyne, James Abernathy, W G Rutledge.

South Point Township: John F Leeper, J G Gullick, J M Lineberger.

Crowder's Mountain Township: B G Bradley, J M Whiteside, R W Garrett, Thomas Chalk.

## GATES COUNTY.

Gatesville Township: John Brady, R H Riddick, Arthur Willey, Rufus M Riddick.

Hall Township: Elisha Parker, M C Lawrence, M H Eure.

Reynoldson Township: Hillory Willey, John J Gatling, W M Daughtrey.

Haslett Township: W H Riddick, Wm Boothe, Wiley Wiggins.

Holly Grove Township: W H Polson, Elisha Williams, Thos Parker.

Hunter Mill Township: Riddick Hofler, Wm Smith, Jno Alphin.

Mintonville Township: Jesse R Key, James A Roberts, James F Bond.

## GRAHAM COUNTY.

Cheoah Township : N G Philips, N W Rice, Devaney Parker, W B Wiggins.

Stecoah Township : John Sawyer, David E Hyde, James Carver.

## GRANVILLE COUNTY.

Henderson Township : H C Crosby, Harvel Harris, E G Brodie, S S Cooper.

Kittrell's Township : Erastus Powell, Baldy A Capehart, Chas H Williams.

Fishing Creek Township : Harvey Harris, jr, Richard W Harris, Wm M Blackwell.

Brassfield Township : Samuel H Kennedy, Clinton M Rogers, Robt Garner.

Dutchville Township : Wm T Mitchell, Jno B Green, Frank J Tilley.

Walnut Grove Township : W T Lyon, Wm Daniel, Jas M Satterwhite.

Sassafras Fork Township : Wilkin Stovall, Walter Pattillo, Wm M Tanner.

Townsville Township : J Herbert Taylor, J W Heartt, W M Sneed.

Oxford Township : J K Wood, H T Hodges, L A Paschall, A C Parham, N A Gregory.

Tally Ho Township : Arthur T Carrington, Wm H Smith, J H Webb.

Oak Hill Township : W H Puryear, J W Royster, Rufus Amis.



## GREENE COUNTY.

Snow Hill Township : W J Taylor, Jas W Taylor, Henry H Best, D A Sugg, (Snow Hill town).

Hookerton Township : W L Edwards, Jas J Moore, T E Hooker, Jno J Edwards (Hookerton town.)

Speight's Bridge Township : J B Faircloth, R C D Beaman, W A Darden.

Olds' Township : Wm T Dixon, John R Dixon, Jas A Edwards.

Bull Doze Township : Wm McKeel, John G Britt, Robt W Taylor, Geo W Lane (Contentnea town).

## GUILFORD COUNTY.

Washington Township : Alex Tickell, John Cobb, Jas J Busick.

Rock Creek Township : Geo W Clapp, Daniel P Foust, Caleb A Boon, L F Smith (Gibsonville.)

Green Township : W M Kine, W M Thompson, Peter C Smith.

Madison Township : Robt C Rankin, Mebane Apple, Isaac Thacker.

Jefferson Township : W T Thorn, Joel H Gilmer, Jos A McLean.

Clay Township : Newton D Woody, Joseph W Gilmer, Jno C Hunter.

Monroe Township : J W McMichael, Frank C Chilcutt, W H Rankin.

Gilmer Township : John A Pritchett, John L Hendrix, Jas M Ward, A P Lickel, W A Horney.

Fentress Township : John M Fentress, Allen H Scott, Wm D Hardin.

Centre Grove Township: Wm E Berill, John W Winchester, Pinkney Wall.

Morehead Township: A Dilworth, Geo Donnell, Hiram C Worth, Wm J Love, W E Edwards.

Summer Township: Stephen Hodgins, F S Davis, Wm L Kirkman.

Bruce's Township: Thomas Rhodes, Jno L Ogburn, Thomas Case.

Friendship Township: A H Lindsay, W N Armfield, Thos E Cook.

Jamestown Towdship: Jesse Gardner, J A Gray, Jos L Ragsdale.

Deep River Township: B F Smith, L F Davis, Joseph A Davis.

High Point Township: Henry Clapp, David Jordan, Cyrus J Wheeler, Robt S Bell, W H Ragan.

Oak Ridge Township: W O Donnell, Jesse Benbow, Charles Case.

#### HALIFAX COUNTY.

Halifax Township: B F Gary, J O Brien, H J Carraway, A Garibaldi.

Caledonia Township: J A White, R H Smith, jr, Alfred White, W H Shields.

Palmira Township: B J Alsbrook, E P Hyman, Shepherd R Spruill.

Roseneath Township: Edward Whitehead, W T Whitehead, M T Savage.

Conoconarie Township: John A Norfleet, J R Tillery, W E Aaron.

Weldon Township: W A Daniel, Aaron Prescott, R E Mosely. Joseph T Evans.

Endfield Township: J T Reynolds, E P Powell, D C Clarke, J J Robertson.

Littleton Township: W A Johnson, Sterling Johnson, N E Jenkins, B R Browning.

Butterwood Township: E A Thorne, W L M Perkins, David Clarke.

Brinkleyville Township: F M Parker, J P Leach, F M Garrett, S S Norman.

Faucett's Township: W W Brickell, E D Dickens Richard Brinkley.

#### HARNETT COUNTY.

Johnsonville Township: A C Buie, Duncan Morrison, Robt C Belden.

Barbecue Township: James Cameron, sr., Nivin Ray, Jno Harrington.

Upper River Township: James S Harrington, Daniel C McLean, Neil Clarke.

Lillington Township: T D Walson, H C McNeill, Wm H Bethune, S D Pipkin.

Averasboro Township: A B Godwin, Jno G Hodges, Neil S Stewart.

Grove Township: J N Gregory, J D Ryals, A J Turlington.

Neill's Creek Township: W J Long, Thomas Matthews Wm Person.

Hector Creek Township: Benjamin Gardner, D E Green C H Coffield.

Buck Horn Township: Jesse Morgan, Ely Carter, Geo W Pegram.

Stewart's Creek Township: Hugh M McDonald, Jno W Howard, Duncan J Parker.



## HAYWOOD COUNTY.

Waynesville Township No 1 : J F Murray, C L Smathers  
Jno Turpin, Jno A Ferguson.

No 2: Fidel Howell, James Cody, Jno G Burnett.

No 3: T B Edmundson, William S Evans, David  
Vance.

No 4: Joseph Christopher, J B Mease, Jas Osborne.

No 5: E R Furguson, S Walker, G W McCracken.

No 6: T S Gillett, Z T Ferguson, W M Rhea.

No 7: Parker Hopkins, G L Palmer, J F Owens.

No 8: J M Rice, Jno Boyd, Erastus Howell.

No 9: W G B Garrett, R H Plott, John Rich.

## HENDERSON COUNTY.

Hendersonville Township: A M McConnell, A Cannon,  
Alexander Henry, M M Patton, (Hendersonville.)

Edneyville Township: R A Freeman, Benjamin Wil-  
liams, Rufus Edney.

Blue Ridge Township. Thomas Blackwell, S B O Mc-  
Call, Samuel King.

Green River Township: H K Pace, W H Ward, Benj F  
Possy.

Clear Creek Township: A J McMinn, Wm K Ledbetter,  
Matthew A Love.

Hooper's Creek Township: A E Fletcher, G B John-  
son, J R Byers.

Crab Creek Township: Geo Sentle, J W  
Capps. o

Mill's River Township: E F Case. R W Allen, Thos  
Murray.

HERTFORD COUNTY.

Winton Township: Chas N Pruden, King Parker, Jos B Slaughter, Jno W Faison.

Harrellsville Townsnip: Jas P Harwell, Sam'l M Armuck, Norman L Shaw.

St ohn's Township: Julian J Moore, James F Wynne Wm D Holleman.

Manning's Neck Township: Sam D Winborne, Jas E Everitt, Geo V Cowper.

Murfreesboro Township: W T Browne, Charles Vaughan, Orris Parker, Goodman, D Parker, Jarrett N Harrell.

HYDE COUNTY.

Ocracoke Township: Benjamin Garrish, Benjamin Styron, Daniel Tolston.

Lake Landing Township: W S Cox, James M Blenson, Daniel G Sadler, Israel B Watson, A B Tunnell.

Swan Quarter Township: Seth B Harriss, sr., Joseph M Watson, Nathaniel C Williams.

Currituck Township: Daniel Burgess, Sam L Snell, Jeremiah Selby, Henry W Wahab.

Fairfield Township: Jno G Harris, Thomas H B Gibbs, J Columbus Simmons.

IREDELL COUNTY.

1. Eagle Mills Township: T N Cooper, E W Joyner, Wm J Colvert.

2. Union Grove Township, W J Templeton, Jas Holmes, L V Cantwell.

3. New Hope Township: O G Williams, A G Myers,

Thos Redman.

4. Turnersburg Township : J M Godby, J M Holmes, J M Turner.

5. Oliver Township : F J Allison, R L Weaver, H A Mowbray.

6. Sharpesburg Township : A A Hines, R T Campbell, A P Sharpe.

7. Cool Springs Township : G F Shepherd, C W Kestler, Henry Turner.

8. Bethany Township : J F Long, J C Turner, A P Murdock.

9. Concord Township : Abner Morrison, J H Schroggs, R A Stone.

10. Chambersburg Township : J A White, J D Click, J Dotson.

11. Statesville Township : Jno Bradley, T M C Davidson, E B Stinson, M F Freeland.

12. Shiloh Township : Peter Little, H C Summers, J M Alexander.

13. Barringer Township : J W Sanders, C L Shinnie, W C Mills.

14. Falls Town Township : A P Clarke, J M Patterson, R J Willis.

15. Coddle Creek Township : J L Harriss, R A Alexander, A M Walker, Isaac Harris.

16. Davidson Township : J M Shook, J B Cornelius, J W A Kerr, E W Putman.

#### JACKSON COUNTY.

Cashier's Valley Township : Ransom Rice, John Halley, L M Dillard.

Hamburg Township : John Steward, jr, Alfred Wilson, jr, David Norton.



Saul's Creek Township : J A Galloway, James Cathey, Thos Bryson.

Cany Fork Township : R H Stephenson, W M Hooper, sr, Alfred Brown.

Fork of the River Township : McHooper Wooford, M Zachary, S P C Shelton.

Cullowhee Township : R L Watson, D D Davies, Wm Wilson.

Scott's Creek Township : Samuel Bryson, Samuel Cook Jas Crawford.

Webster C H Township : E P Stillwell, Thos Fizzell, John Keener, J C Watkins.

Savannah Township : B H Jones, W H Buchanan, E C Ashe.

Barker's Creek Township : John Nation, W Bumgarner, John M Lane.

Qualla Town Township : H L Moody, James Angell, Samuel Gibson, sr.

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JOHNSTON COUNTY.

Clayton Township : John L Banks, Needham G Gulley, Jos C Ellington, Wm H Penny.

Pleasant Grove Township : Jos Ogburn, Amos Coats, Robert Johnson.

Elevation Township : Carroll Langdon, John Y Wooddall, Joseph Johnston.

Meadow Township : Elam Godwin, H N Bizzell, Y J Lawhon.

Bentonsville Township : Ransom Lee, P H C Dupree, W N Rose.

Ingram's Township : John Sanders, Jas H<sup>m</sup> Adams, Geo Keen.

Smithfield Township : Jas C Ballard, Willis H Avera, Thos R Youngblood, Jno C Hood, jr.

Princeton Township : L P Creech, Wm Richardson, K B Whitley, W H Joyner.

Bulah Township : Robt Hatcher, John Parker, L B Richardson.

O'Neal's Township : Wm H O'Neal, Jos Hare, John R Brown.

Wilder Township : Jas A Hocutt, Jesse Hinnant, John W Lee.

Selma Township : W J Barrow, E S Moore, Theo Hinnant, Henry L Watson, Willis Gerard.

#### JONES COUNTY.

White Oak Township : Lewis Bynum, Geo W Koonce, Cyrus Foscue.

Pollocksville Township : Henry C Foscue, Jno N Whitford, Egbert W Haywood, Jas W Harper.

Trenton Township : Edgar M Foscue, Wm E Ward, Titus Hart, Thos ilcox.

Cypress Creek Township : Thos J Whitaker, Henry C Koonce, Benj Brock, jr.

Tuckahoe Township : J W Eubanks, Christopher C Fordham, Isaac Brown.

Beaver's Creek Township : Lewis H Haskins, Edwin B Isler, Joel A Heath.

#### LINCOLN COUNTY.

North Brook Township : S J Weaver, T M Foster, W A Thompson.

Howard's Creek Township : J Stamey, sr, H E Ramsour, Isaac Self.

Lincolnton Township : W T Shipp, L D Haynes, Ambrose Costner, J L McLean.

Ironton Township : L A Dellinger, A G Harrill, S V Goodson.

Catawba Springs Township : Isaac Lowe, James Lineburger, Jos G Morrison, T H Proctor.

#### LENOIR COUNTY.

Sand Hill Township : Jno S W Pearce, Wm H West, Jas D Sutton.

Woodington Township : Wm A Croom, Jesse C Kennedy, Jas Herring.

Trent Township : Henry Cunningham, jr, W S Byrd, N B Whitfield.

Pink Hill Township : Wm M Chamberlain, Wm B Nunn, Anthony Davis.

Moseley Hall Township : F B Fields, M H Wooten, P W Wooley, R W Moore.

Lenoir Institute Township : M B Creech, J M<sup>r</sup> Patrick, Jas M Hines, jr.

Falling Creek Township : Jas M Parrott, Wm Waters, Wm L Kennedy.

Vance Township : W T Moseley, B F Parrott, R F Bright.

Contentnea Neck Township : H H Moore, Wm J Pope, Elias Hazzleton.

Kinston Township : S H Rountree, Jas K Davis, W C Fields, Wm A Coleman, Lemuel Harvey.

#### MACON COUNTY.

Frankiin Township : F Poindexter, D Mallonee, J H Addington, W M Penland.



Mill Shoal Township : H H Elmore, E H Franks, Jno T Berry.

Ellijay Township : R A Jacobs, Hosea Moses, W W Henry,

Sugar Fork Township : J D Russell, James Keener, W A Holbrook.

Blue Ridge Township : J W Wilson, G A Jacobs, S W Hill.

Smith's Bridge Township : L Howard, M L Kelley, E T Long.

Cartoogechaye Township : J M Giliespie, Albert Siler, W H Roane.

Nantihala Township : Zebedee Barnes, Jas Forrester, J B Padgett.

Burningtown Township : P C Wilds, J W Welch, Dan'l McCoy.

Cowee Township : A B Dalton, W F Potts, Thomas Mashburn.

#### MADISON COUNTY.

Marshall Township : Lewis Peek, Jno B Nelson, Robt Farnsworth, Barnett Fortner.

Pine Creek Township : Adolphus Pain, Wm Worley, Jackson Roberts.

Little Sandy Mush Township : Henry Gilbert, M M Teague, Garrison Roberts.

Spring Creek Township : Jasper Ebbs, Wm Fleming, David R Lusk.

Warm Springs Township : Peter Scism, Jacob Ottinger, Mack Rogers.

Big Laurel Township : Jos B Gosnell, Alfred Davis, Stephen Wallen.

Shelton Laurel Township: Eepham Hensley, Roderick Shelton, B T Chandley.

Gabriel Creek Township: Phillip Buckner, Isaac L Williams, Reuben Sams.

Middle Fork Township: Jas Metcalf, Henry L McLean, Nathan M Anderson.

West Fork Township: Samuel Edwards, Chas L McPeters, Solomon G Brigman.

Upper Laurel Township: Wm B Anderson, Oliver English, Marion Marchbanks.

#### MARTIN COUNTY.

Hamilton Township: Henry B Roberson, Jno P Hyman, J A B Cooper, Justus Everett, H D Roberson.

Williamston Township: Stanley M Purrington, Simon P Everett, Simon D Ward, Joshua Everett.

Jonesville Township: D R Daniel, Jas B Lanier, Goodman Darden, N S Stallings.

#### MECKLENBURG COUNTY.

Charlotte Township: F A McNinch, J S Myers, R M White, John A Young, Walter Brem, D H Hill W F Davidson, E K P Osborne, T L Vail, S H Hilton H B Williams.

Clear Creek Township: T A Jerome, A C Flow, R H Henderson.

Crab Orchard Township: W H Taylor, Leander Qery, J N Wallace.

Berryhill Township: L M McAlister, H D Stowe, J J Price.

Sharon Township: Oswald Alexander, H K Reid, Lorenzo Hunter.

Pineville Township : F C Harris, J H Elms, J T Downs, M L Wallace.

Providence Township : E M Matthews, J N Howie, A G Reid.

Steel Creek Township : F Lee Erwin, S A Caruthers, hos P Grier.

Deweese Township : D W Mayes, W A Sossaman, W P Williams.

Long Creek Township : Thos Gluyas, A M Barry, Thos Neal.

Paw Creek Township : A W Lowing, D A McCord, C L Gibson.

Lemley's Township : R A Torrence, B F Blythe, Jas N Wilson.

Morning Star Township : S B Smith, D M Fesperman, J W Hood.

Mallard Creek Township : R A McNeely, B H Garrison, N Gibbon.

#### M'DOWELL COUNTY.

Jamestown Township : B F Brackett, Jas M Robinson, Jno Bright.

Higgins Township : A C Garden, W C Tate, H C Bennett.

Dysartville Township : Jno H Patton, A B Higgins, Wm L Morrison.

Dobson Township : Isaac S Stacey, W A Connely, S P Burnett.

North Cove Township : R P Hollyfield, W A McCall, Jos Connely.

Marion Township : Henry Presnall, Jno P Cansler, Sam'l M Silver, J H Gilkey.

Old Fort Township : E H Grant, Thos Y Greenlee, Jos B Burgin, R H Moore.



Crooked Creek Township : R M Burgin, A J Dula, Thos Young Lytle.

Broad River Township : Benj Nisbett, W H Ledbetter, J H Garrison.

Sugar Hill Township : Joshua Hall, G W Crawford, Geo W Morgan.

#### MITCHELL COUNTY.

Bakersville Township : J C Howell, Wm Hickey, W J Buchanan, Robt M Penland.

Snow Creek Township : Samuel Blalock, B B Wesfalin, Wm Silver.

Grassy Creek Township : Jno C Blalock, D N Cox, Wm Holyfield.

Cranberry Township : Riley Pritchard. Young, Alex Erwin.

Toe River Township : Wm Ollis, Sidney Conly, J C Keener.

Linville Township : Jason Hughes, Wm Burlison, Marcus Tuttle.

Little Creek Township : Chas Burlison, Jas W Ayres, T J Buchanan.

Red Hill Township : Thos B Garland, Adam Snow, S C Phillips.

Harrill's Township : Jonathan Buchanan. Carson Gouge Joseph Street.

Hollow Poplar Township : Jno Peterson, Chas Byrd, Spencer Barret.

#### MONTGOMERY COUNTY.

Troy Township : B T Coggin, Isaac Suggs, Calvin J Cochrane.

Mt Gillead Township : D C McAulay, John R Scarborough, E S L Barringer.

Pee Dee Township : Thos C Ingram, John Bogan, C W Wooley.

Rocky Spring Township : Daniel J Ewing, Neill McCallum, A F Brush.

Lttle River Township : A P Leach, Willis Auman, David Allen.

Eldorado Township : B T Coggins, sr., A S Harris, William McAlister.

Hollingsworth Township : Martin Gillis, David McAuley, C J Bruton.

Uwharrie Township : J C Colton, John Calvin Morris, Jesse Mullinn.

Cheek's Creek Township : Jeremiah Luther, John G Skinner, P H Turner.

Ophir Township : Enoch Davis, Wm H Hurley, P C Sanders.

Hill Township : M M Leach, Martin Wright, William Auman.

#### MOORE COUNTY.

Carthage Township : J A Jackson, D P Shileds, Murdock Furguson, M M Fry.

Ben Salem Township : L B Currie, Neil Leach, Kenneth Matherson.

Thomas Brows Township: Peter Shamburger, John Howard, E T Williams

Ritter's Township : W J King, Geo Purvis, Richard Street.

Jonesboro Township : Absalom Kelly, George W Avent, R M Brown, D B McIver, A H Cox.

Greenwood Township : Jno McNeil, Jno B Cole, H L Muse, H W Graham.

Thugard's Township : D S Byrd, Daniel Blue, Jno K McLean.

Packet Township : A M Wicker, Wm Arnold, Wm McLeod.

Sand Hill Township : Malcolm McNeil, D C Blue, C W Shaw.

Jackson Spring Township : A M Black, James L Currie, M G McKenzie.

#### NASH COUNTY.

Castalia Township : Thos J Braswell, jr., James Harper, Wm T Taylor, James B H Boddie.

Griffin Township : James V Bunting, R F Drake, J V Avent.

Whitaker's Township : T P Braswell, S R Hilliard, A H Ricks, J W Thompson, W D Stokes, Berry Whitehead.

Stoney Creek Township : John E Lindsay, John R Green, W R Winstead.

Nashville Township : L W Hedgepeth, Edward W Wilcox, Elisha H Cockrill, John C Harper.

Cooper's Township : Thos R Batchelor, B H Vester, J J E Deans.

Manning's Township : S C Edwards, Z R Hinton, James T Webb.

Ferrell's Township : J A G Kemp<sup>r</sup>, Geo B Morgan, J W Ballentine.

Bailey's Township : W B Winborne, D H Bunn, Westly Privett.

Jackson Township : A H Denton, N R Strickland, Thos Westray.

Rocky Mt Township : D W Winstead, J D Robbins, M B Williford, R C Tillery.



## NEW HANOVER. COUNTY.

Wilmington Township: Anthony Howe, Joseph O Hill, Thos M Smith.

City of Wilmington: E D Hall, Jno D Love, Solomon Bear, J C Millis, Jno S James, J L Cantwell, Henry, Schulken, L H Bowden, Walker Meares, O G Parsley, jr, J M King, Jno C Koch, C D Myers, Henry Nutt, W W Harris, D G Worth, E A McQuigg.

Federal Point Township: Stephen D Keyes, Jno H Savage, Hosea L Horne.

Masonboro Township: Jno G Wagner, Joseph A Montgomery, Jno J Beasley.

Harnett Township: Jno A Holt, A A Moseley, Jno W Maffitt.

Cape Fear Township: Henry E Scott, James Cowan, A G Grady.

## NORTHAMPTON COUNTY.

Gaston Township: Wm E Bradley, Jas W Grant, Joe G Lockhart.

Occoneechee Township: Thos W Mason, Thos C Parker, Jas L Linter

Jackson Township: Isaac Peele, W S Copeland, John T Peebles.

Roanoke Township: Wm Grant, Andrew E Peele, Wm H Williams.

Rich Square Township: Henry C Edwards, ohn C Jacobs, Andrew J Harrell.

Wiccacanoë Township: Wm J Rogers, Wm H Parker, Jas L Lassiter.

Kirby Township : Joe A Garris, Wm J Edwards, E A Martin.

Seaboard Township : C C Daniel, Alex H Reid, W J Maddry, B D Stancill.

ONslow COUNTY.

Richland Township : E J Newbolds, S B Taylor, Harvey Cox.

Jacksonville Township : John Mashbourne, A J Murrill, Jas Gaines, Richard Canaday.

Stump Sound Township : John J Yopp, H E King, John Shepard.

Swansboro Township : J A Freshwater, T B Holland, L O Fonville, W P Ward.

White Oak Township : Noble Sommersville, S L Gerock, W J Momford.

ORANGE COUNTY.

Hillsboro Township : Calvin E Smith, Nathaniel D Bain, Alvis Durham, John M Blackwood, Lemuel Lynch.

Little River Township : Sam'l H Jordan, Lambert W Hall, Addison L Holden.

Mangum Township : A K Umstead, Geo W Jones, Robt F Webb.

Durham Township : Wm W Guess, D L Paschall, Robt D Patterson, D C Parish, M A Angier, Caleb B Green.

Patterson Township : Samuel H Turrentine, Gabriel A Barbee, Wm C Mason.

Chapel Hill Township : Chas W Johnson, Wm G Robson, Merritt Cheek, Jno H Watson.

Bingham Township : D M Durham, Robt Long, T P Bradshaw.

Cedar Grove Township : Wm W Allison, Wm T Tate, John Thompson.

## PAMLICO COUNTY.

Township No 1: Brazella Halton, Jas Madison Reed, Alex C Brinson.

No 2: Stephen D Lane, Tillman F Woodard, Jas O Baxter, Jas S Lane.

No 3: Eph H Riggs, Daniel B Hooker, Wm N Pugh Freeman E Ives.

No 4: Washington L Barnett, John Wm Watson, Jas Potter.

No 5: Robert B Hardison, John F Ritch, John B Martin.

## PASQUOTANK COUNTY.

Elizabeth City Township: G W Cobb, Hugh Cale, Jabez Pritchard, R K Speed, G M Scott, W A Harney, F M Cook.

Newland Township: Edmund Doly, Wm Williams, Josiah R Etheridge.

Providence Township: Miles Whitehurst, Nixon Morgan, W S Temple.

Nixonton Township: Samuel J Halstead, Zenas Fearing, Eph Stanton.

Mount Hermon Township: Mark Gregory, Wm T White, Elisha Harris.

Salem Township: W F Thibby, James Perry, F M Godfrey.

## PENDER COUNTY.

<sup>91222</sup>Holden Township: Jno Lillington, Samuel P Hand Robt T Sanders.

Union Township: H T Murphy, Jno D Powers, Jno E Rivenbark.



Columbia Township . G T Walker, Thos H W McIntyre, A C Ward.

Caswell Township : Henry C Register, James Thompson, J F Moore.

Lincoln Township : W J Bivens, Chas P Moore, Gratten Williams, L Southerland.

Rocky Point Township : A Gambergh, Dawson Durham, Thos J Armstong.

Holly Township . R T Williams, W J Player, Eli H Shiver.

Grant Township : A Lloyd, R K Bryan, C W McClammy.

#### PERQUIMANS COUNTY.

Hertford Township : H J Reed, Abram Bonner, Geo D Newby, Edwin Brace.

Bethel Township : W L Mardre, W M Fleetwood, Robt S Pratt.

Belvidere Township : Elsbury W Riddick, Alphonso White, Caleb Winslow.

Parkville Township : J H White, John Bennett, William Nixon.

New Hope Township : Joseph Newby, J H Jacocks, Walter Lowry.

#### PERSON COUNTY.

Cunningham's Township : Samuel A Barnett, C H Richmond, Robt A Williams.

Olive Hill Township : W G Winstead, Jas M Burton, A J Hester.

Bushy Fork Township : J L Brooks, Jno G Coleman, James O Bradsher.

Flat River Township : Alex Reams, Henry Montgomery James T Cates.

Roxboro Township: James T Critcher, J B Pleasants, Wm R Webb.

Wood Dale Township: E J Robertson, Jno A Barnett, Jeff J Brooks.

Halloway's Township: Thos J Montague, E N Wilkerson, Thomas H Street.

Allensville Township; H W Harris, L C Clayton, B A Thaxton.

Mt Tirzah Township: G G Moore, Groves Meadows, W T Noell.

#### PITT COUNTY.

Swift Creek Township: Calvin Stokes, Louis Wilson, Fred Harding.

Chicod Township: Joseph Tucker, Geo W Venters, J Laughinghouse.

Greenville Township: John J Cherry, John B Worsley, B W Brown, Richard Williams.

Bethel Township: Wm C Davenport, Reuben Mayo, Caswell Stancill, David C Moore, Godfrey Stancill.

Pactolus Township: Theo Keel, G W Mooring, W Little.

Falkland Township: Willis R Williams, Allen Warren, John King.

Farmville Township: John B Nicholls, B S Shepard, W A Barrett, Jas W May, E O McGowan.

Contentnea Township: J B Garris, Abram Cox, Caleb Cannon, sr.

## POLK COUNTY.

Tryon Township: J D Morris, Jno Garrison, Wm E Mills.

Columbus Township Jas H Arms, T C Ridings, Noah H Hill, David Foster.

Cooper's Gap Township: Louis Cowart, James Jackson, Thomas Edgerton.

Mills' Springs Township: Geo J Mills, Jos C Waldrop, J M Hamilton.

Green's Creek Township: Joberry Prince, Joseph Smawley, Robt McFarland.

## RANDOLPH COUNTY.

Trinity Township: P C Welborn, W M Wilson, Matt Shaw.

New Market Township: Robt Coltrane, T C Fentress, Newton Newlin.

New Salem Township: J N Caudle, D P Cobb, Wm Branson.

Liberty Township: W P Fox, J W Burgess, A L Troy.

Columbia Township: Henry Craven, W H Foust, J W Staley.

Franklinsville Township: J W Bean, A S Horney, Hugh Parks.

Ashboro Township: R M Free, D W Porter, J E Walker, T M Moore.

Tabernacle Township: A B Finch, Jno Andrews, P Arnold.

Buck Creek Township: R M Walker, Alfred Bulla, Nathan Farlow.



Concord Township : Jno B Harney, W A Preno, B W Steed.

Cedar Grove Township : Z A Lewellen, Nathaniel Steed, Jno W Ridge.

Grant Township : Jno Kerap, Ely A Craven, Henry Jones.

Pleasant Grove Township : H T Moffitt, Geo A Foust, J F Caviness.

Brower Township : Jno Brady, S E Teague, Jno E, Albright.

Richland Township : Haman Miller, James B Burroughs, Alfred L Yow.

Union Township : Geo Auman, M H Cox, Laban Slack.

New Hope Township : O C Brewer, Jesse Lyndon, Jonathan Lassiter.

#### RICHMOND COUNTY.

Rockingham Township : Jno Shortridge, W P McDonald, A M McAuley, H C Hall.

Stewartsville Township : James M Graham, W H McLaurin, Peter McRay, W H Murphy.

Laurel Hill Township : Gilbert M Patterson, Geo McMillan.

Williamson's Township : John H Snead, Andrew Jrown, Jesse Hargrave.

Mineral Springs Township : D H Gibson, Joshua Chappell, W D Townsend.

Black Jack Township : M J Thomas, H C Webb, C M Covington.

Wolf Pit Township : H S Wade, John Graham, James cIntosh.

Beaver Dam Township : John C Terry, James L Yates, W W Graham.

Steele's Township: James T Bradley, Isaiah Ballard, W T Brookshire.

ROBESON COUNTY.

Alfordsville Township: Peter P McRae, Chas McRae John H Morrison.

Blue Springs Township: Daniel Biggs, Thos M Watson, D P McEachin.

Back Swamp Township: D C McIntyre, Daniel Buie, Neil Townsend.

Britt's Township: Giles P Floyd, Caleb Britt, J S Thompson.

Howellsville Township: A H Hodges, Shadwick Howell, J A Rozier.

Lumberton Township: Jesse Phillips, A W Fuller, W B Blake, J A McAllister.

Lumber Bridge Township: D S Johnson, W C McPhail, R W Kinlaw.

St. Paul Township: W H Fisher, Archibald Malloy, M N McIver.

Sterling's Mill Township: R R Barnes, John F Britt, E C Atkinson.

Smith's Township: Wm Stewart, Angus D Brown, A S Morrison.

Shoe Heel Township: Murphy McNair, B G Graham, B F McLean, Daniel McCornie.

Thompson's Township: Neil McCornie, Alex McLeod, J C McKellar.

Wishart's Township: Calvin Flowers, Eli Wishart, Bunyan Stancil.

Burnt Swamp Township: D A Buie, F G Odum, Alex McIntyre.

White House Township: Calvin Williams, Archibald Thompson, A C Oliver.

## ROWAN COUNTY.

Salisbury Township : Philip Sowers, Asa Ribelin, Adam M Brown, Thos G Haughton, Dolphin A Davis, G Adolphus Bingham, Andrew Marphey.

Franklin Township : W R Fraley, Abner L Hall, Wm M Kincaid.

Unity Township : John A Bailey, John C O Graham, ohn Rice.

Scotch Irish Township : Jesse Powless, Joseph A Hawkins, John G Fleming.

Mt Ulla Township : Stephen F Cowan, Jesse W Miller, ohn R Graham.

Atwell Township : Jos F McLean, Sam'l M Furr, John L Sloan, Wm T H Plaster.

Locke Township : Richard F Graham, sr, Wm F Watson, Chas H McKenzie.

Litaker's Township . Isaac S Linker, Philip A Sloop, ohn Sloop.

Gold Hill Township : Adam C Earnhardt, A W Klutt s Geo M Bernhardt, Frank H Mauney.

Morgan's Township : Willie Bean, John W Miller, M Green Morgan.

Providence Township : Henry Barringer, Wm B Klutts, David Barringer.

## ROCKINGHAM COUNTY.

Leaksville Township : Constantine Osborne, John Q Roberts, Alex Smith, Jones W Burton (Leaksville).

Stoneville Township : Henry Barnes, E P Barnes, Winston Kallam, Francis J Stone (Stoneville).



Madison Township: James A Vernon, Henry McGehee  
Z L Wall, T McWoodburn.

Huntsville Township: Wm Carter, R S Reynolds, R B  
Henderson.

New Bethel Township: Thos Cummings, H P Lomax,  
Jas Kallum.

Simpsonville Township: W P Hopkins, John Hutchi-  
son, Thos Moore.

Wentworth Township: Nathan Mobley, Wm M Elling-  
ton, P D McCallum.

Oregon Township: Walter Lander, R A Holderby, W  
S Carter.

Williamsburg Township: J W McDowell, Alfred Walker,  
Alexander J Jones, Hugh K Reid (Williamsburg).

#### RUTHERFORD COUNTY.

Rutherfordton Township: Jos A Smith, Jas M Toms,  
W L Huntley, Carter Burnett (Rutherfordton).

Green Hill Township: W B Wilson, J B Morris, A L  
Rucker.

Union Township: W P Abrams, Jason H McKinney,  
J A McCluer.

Sulphur Springs Township: H S Taylor, W A Tanner,  
W L Jones.

High Shoals Township: J J Camp, Henry Jenkins, L A  
Holland.

Colfax Township: T M Walker, B B Byers, A Har-  
rill.

Cool Springs Township: A O Higgins, A W Harrill,  
Barney McMahon, J B Blanton (Cool Springs town).

Duncan's Creek Township: D D Martin, W M Pack-  
ard, Thos Stroud.

Golden Valley Township: J M Mode, H C Rollins, Jno  
R Gamble.

Logan's Store Township : H B Wilson, Thos F Jones, Isaee N Biggerstaff.

Camp Grove Township : Wm Montieth, L L Deck, C O Goforth.

Morgan Township : T P Hemphill, A W Haynes, J W Morgan.

Chimney Rock Township : W M Henderson, Isaac M Frady, Henry Portmen.

#### SAMPSON COUNTY.

Clinton Township : Langdon C Hubbard, R C Holmes, James M Moseley, William A Mathis.

Taylor's Bridge Township : Vann J McArthur, A R Herring, Edward C Smith.

Lisbon Township : Allen M Blackburn, Julian J Bronson, Amos J Johnson.

Franklin Township : James Stringfield, John A Corbett, William L Fennel.

Turkey Township : Walter P Moore, J D Blount, Luther R Carroll.

Piney Grove Township : W M Clifton, W A Andrews, Amos Royal.

Westbrook Township : Hardy Daughtry, Uriah Hall, John E West.

Mingo Township : N B Barefoot, J C Draughon, Josiah Baggett.

Hall's Township : Howell H Cobb, David R Watson, Julius C Hobbs.

Dismal Township : David McKinnon, John C Williams, James R Maxwell.

Little Coharie Township : Wm Sessoms, Thomas B Hall, Murdock White.

Honeycutt's Township : Wm A Baggett, Marshall B Crumpler, Isaiah Herring.

McDaniel's Township: Haywood Rick, Gaston Spell, John C Wright.

## STANLY COUNTY.

Township No 1: B F Snuggs, H C Turner, T A Lowder.

No 2: M M Efird, J D Forest, M S Freeman, S S Stone.

No 3: Daniel Richer, Mumford Parker, Valentine Mauney.

No 4: Neelan Lofter, Miles Ritchey, Wm Moody.

No 5: D D Green, Archibald. Cauble, Eli Herrin.

No 5: Solomon Pless, Jonah M Hartsell, Calvin H Brooks.

No 7: S A Morton, J P Austin, I P Efird.

No 8: Church Carpenter, W F Crump, E W Davis.

## STOKES COUNTY.

Meadow Township: Wm Neil, Joel Y Allen, Wilson B Vaughan, L F Smith.

Sauratown Township: W W Withers, Wyatt B Vaughan, W A Lash, jr.

Beaver Island Township: J P Dalton, M T Mitchell, C M Lashley.

Snow Creek Township: Samuel N Martin, J P Reid, Z S Alley.

Peter's Creek Township: W V Shelton, Frank L Moore, Thos Martin.

Quaker Gap Township: M T Smith, James A Leak, J L Smith.

Yadkin Township: J M Rutledge, L E Grabbs, J Q A King



## SURREY COUNTY.

Dobson Township : T B Hamlin, R F Wood, J M Gordon, Samuel A Waugh, (Dobson).

Mt Airy Township : Robert S Gilmer, Isaac Armfield, John G Jones, James W Davis, (Mt Airy).

Westfield Township : Lee Jessup, Joseph White, Caleb D Hill.

Pilot Township : John C Dodson, Abram Whitaker, F A Butner.

Rockford Township : John G Burns, S W Snow, M C Reeves.

Marsh Township : T F Anthony, Joseph Axon, Ira Reece.

Hotel Township : J H Maxwell, D A Eldridge, A B Galloway.

Bryant Township : A H Kapps, F M Nixon, W H Wolf

Franklin Township : C O McNeil, Jackson Lowe, J M Armfield.

Stanley Creek Township : Hasting Beamer, Francis Miller, Samuel Sandifer.

## SWAIM COUNTY.

Oconalufly Township : W R Grant, H J Beck, A Min-  
gus.

Charleston Township : J C Cogdill, A P Gibson, M G Battle.

Nantahala Township : John Constant, W J Dehart, J L Thomason.

Tony's Creek Township : Daniel Lester, A B Welch, S A Monteith.

## TRANSYLVANIA COUNTY.

Boyd's Township : Joseph M Orr, E B Clayton, A W Sitton.

Little River Township: S W Hamilton, J S Heath, J S Shuford.

Davidson's River Townuship: J T Brooks, E M Allison, J P Dever, B C Lankford.

Dunn's Rock Township : W S Lankford, B W Henderson, A J Loftis.

Cathey's Creek Township : D C Shuford, L W Brooks, J McAiken.

East Fork Township : Adolphus Garron, C M Gillespie, J D Galloway.

Gloucester Township: W P Galloway, W H Robertson, John Owens, jr.

Hogback Township : T B Reed, B W Breedloe, G C Galloway.

## TYRRELL COUNTY.

Columbia Township: J B Pinner, J G Brickhouse, M D L Newberry, Jas E Greaves.

Scuppernong Township: Henry P Alexander, Henderson Lewis, E Ransom.

Gum Neck Township : Jas W Swain, Ashber Jones, C E Tatem.

Alligator Township : Sybra Morris, W E Shillington, J B Combs.

South Fork Township: Thos B Myers, W C Woodley, Harrison Bateman.

## UNION COUNTY.

Monroe Township : Jonathan Trull, Russell Rogers, Leroy Secrest, S S McCauley, Abel Helms, L M Secrest.

Buford Township : Zachariah Yarborough, Thomas C Eubanks, Wm W Smith.

Jackson Township : Wm W Walker, John W Belk, Wm Crow.

Sandy Ridge Township : John H Gribble, A J Price, Thos L Cuthbertson.

Goose Creek Township : Thomas H Benton, John N Presson, Marcus E Crowell.

New Salem Township : J O Griffin, A D Howell, W A Austin.

Lane's Creek Township : Vachel T Cheers, Jacob S Little, J P Horne, Thomas W Griffin, (Griffinsville).

## WAKE COUNTY.

Barton's Creek Township : M H Ellen, R D Honeycutt, R M Jones.

St Mary's Township : J G Andrews, W R Poole, Thos J Johns.

Buckhorn Township : L B Seagraves, W B Jones, M B Royester, G B Alford.

Cary Township : J P H Adams, C H Clark, P A Sorrell, J R Page.

Cedar Fork Township : W H Edwards, R O Bryant, A M Adams, T C Sears.

House's Creek Township : J D Hays, B A Perry, M Y Chappel.



Little River Township: P P Pace, T J Wiggs, Michael Whitley.

Mark's Creek Township: H A Rhodes, Joseph Blake, John W Smith.

Middle Creek Township: D C Adams, J M Jones, J D Ballentine.

New Light Township: Caswell Ray, J W Thompson, W J Ward.

Neuse Township: Thos Yeargin, L M Green, R Walter Jeffreys.

Oak Grove Township: Jas Chandler, J T Nichols, Sol. J Allen.

Panther Branch Township: W D Turner, Jas H Allen, Simeon Williams.

St Matthew's Township: Clinton W Williams, J Rowan Rogers, J A Temple.

Swift Creek Township: Allen Adams, J B Strain, L D Stephenson.

Wake Forest Township: J M Brewer, E E Gill, Hut-sanel Watkins, M E Carver, J M Flemming.

White Oak Township: A M Betts, A C Council, Rufus Barbee, W F Uteley.

City of Raleigh: C D Upchurch, W H Bledsoe, R G Dunn, W D Haywood, M Grausman, R W Best, B C Manly, M B Barbee, C B Root, W G Briggs, James D Pullen, John B Neathery, J C S Lumsden, Leroy G Bagley, J T Watts, Benj Parks.

#### WARREN COUNTY.

River Township: Alex Wright, Buckner Eaton, John R Boyd.

Haw River Township: W A Boyd, John M Brame, John O Drake.

Smith's Creek Township : R F Rose, John Read, Jas T Russell.

Nut Bush Township : Thos P Paschall, John H Bullock, B M Collins, D B Kimball (Manson).

Sandy Creek Township : Wilson Hicks, Solon Southerland, Jos B Jones.

Shocco Township : Eugene Thorn, R W Alston, Jonas C Williams.

Fishing Creek Township : Wm Brehon, P G Alston, sr, T J Pitchford.

Judkins' Township : Landon C Johnson, John W Riggan, C M Cook.

Warrenton Township : Mansfield Thornton, W G Plummer, B D Williams, R H Ford, H B Hunter, R G Moore.

Six Pound Township : Horace Palmer, Richard Wright, Samuel Bobbitt.

#### WASHINGTON COUNTY.

Plymouth Township : William J Bowen, Bryant Bennett, Asa M Johnston, (Plymouth) Samuel W Latham, Jas F Norman.

Lee's Mill Township : Cleophas W Swain, Isaac T Hassell, Wm R Chesson.

Skinnersville Township : Julius Howell, L M Phelps, Thos J Norman.

Scuppernong Township : Alex Armstrong, Joseph H Snell, Dempsey Spruil, Joshua B Davenport.

#### WATAUGA COUNTY.

Boon Township : J M Brown, William H Duggar, W F Shull, D B Daugherty, (Boon Town).

Ball Mountain Township : John J L Church, Hugh A Dobbin, A F Davis.

Blue Ridge Township : A W Penley, F F Hendrix, Jordan Cook.

Blowing Rock Township : Wesley W Sherrill, Wm Elrod, Leonard W Estes.

Beaver Dam Township : Marion Wilson, Jacob Haggman, Dudley Farthing.

Cove Creek Township : James C Lewis, T P Adams, Hiram McBride.

Elk Creek Township : Isham Calloway, Lewis Hartley, J R Hodges.

Laurel Creek Township : M C Harman, Benjamin Greer, L W Farthing.

Meat Camp Township : Harvey A Davis, Alfred Moretz, John Ragan.

Stony Fork Township : J R Norris, Joseph Brown, D B Wagner.

Watauga Township : J W McClaird, C J Coffey, Henry Taylor

Shonnee-hau Township : G W Brown, Wm Voncanon, Geo Duggar.

#### WAYNE COUNTY.

Goldsboro Township : Henry B Ham, Nathan Boyett, E Arnold Wright, James W Gullick, Ed Griswold, John C Slocum, G W Collier.

Stony Creek Township : W P Holland, T A Granger, Daniel R Thompson.

Nahunta Township : W E Fountain, Jesse T Aycock, Fred I Beckton, James H Barnes.

Great Swamp Township : J M Perkins, Jesse Hooks, Z L M Peacock.

Pikeville Township : J T Dees, Stephen F Blow, Albert Aycock.



Saulston Township : W H Speight, Leonard Lewis, Berry Parks.

New Hope Township : John W Isler, Thomas W Uzzell, John I Herring.

Indian Springs Township : John A Kornegay, John P Cobb, Wm B Whitfield.

Brogden Township : D E Stephens, Stephen W Hallowell, Wm B Bowden, L G Pearsall.

Grantham Township : Geo M Bridgers, C J McCullen, Richard Rayner.

Fork Township : Hillory Hastings, Willis H Brogden, Boaz F Hooks.

#### WILKES COUNTY.

Edwards Township : James M Gambrell, J I Parks, F A Harris.

Trap Hill Township : James McCann, jr, J F Gentry, Wesley Joins.

Walnut Grove Township : Johnston Cordill, W McAbsher, Thos Joins.

Rock Creek Township : Spencer Blackburn, W F Ward, James D Hunt.

Mulberry Township : F M Adams, Charles N Hunt, A B Dancy.

Union Township : D F Shephard, A A Whittington, R W Colvard.

Reddie's River Township : J A Crysell, J F Finley, G F McNeil.

Lewis Fork Township : J W Church, Alfred Proffitt, A M Church.

Job's Cabin Township : Randolph Vernoy, Jefferson, Church, Lindsey Triplett.

Elk Township : Geo W Hendrix, J C Land, W F Hendrix.

Beaver Creek Township : Pickens Carlton, E K Walsh, E B Phillips.

Wilkesboro Township : T J Gilreath, W H Hubbard, S J Jennings, R F Hackett.

Summers' Township : William Cooper, L W Lumsford, Alfred Warren.

Fishing Creek Township : Elisha Parker, W B Transon, A Rosseau.

Lovell Township : W H Summers, T C Parks, Geo W Hayes.

Brushy Mountain Township : E E Herndon, John T Purlier, James Mitchell.

New Castle Township : R W Wooten, Geo W Sale, J C Armstrong.

Antioch Township : Enoch Staley, James H Foote, F C Parks.

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WILSON COUNTY.

Wilson Township : F W Barnes, M J Edwards, T C Davis, Calvin Barnes, Robert J Taylor.

Gardner's Township : T B Bridgers, Cofield Barnes, Jesse M Taylor.

Stantonburg Township : Washington Barnes, J T Graves, D G W Ward, Henry M Thompson.

Taylor's Township : Wiley Farmer, T J Eatman, Joseph Farmer.

Black Creek Township : Jonathan Tomlinson, A G Brooks, Nathan Bass, W R Newsome.

Cross Roads Township : Jesse Lucas, D A Scott, Peter L Barnes.

Spring Hill Township: Wm Watson, Jesse Kirby, Simon Barnes.

Saratoga Township: Seth H Tyson, Ben A Howard, T R Eagles, Albert Felton.

Old Fields Township: Larry B Boyette, A B Boykin, J F Eatman.

Toisnot Township: J H Barclay, W W Flowers, J W Crowell, M M Williams.

#### YADKIN COUNTY.

Booneville Township: T D Cartwright, J M Speer, J R Spencer.

Knobs Township: Benj Sparks, J N Vestal, J D Holcomb, J S Claywell (Jonesville).

Buck Shoals Township: J S Tulburt, J M Burgess, A N Tomlin.

Deep Creek Township: J B Holcombe, W S Arnold, Miles H Long.

Liberty Township: W B Joyner, J G Reavis, W S Macy, J R Nance (Yadkinsville).

Forbush Township: F M Lakey, Thomas Long, J C Conrad.

Little Yadkin Township: P C Jones, J R Houzer, P S Hunt.

East Bend Township: T F Matthews, J W Flemming, Azariah Horn.

Fall's Creek Township: C H Adams, G Z Poindexter, J D Hobson.

#### YANCEY COUNTY.

Burnsville Township: L H Smith, L C Robinson, D A Angel.



Cane River Township : M P Hampton, W A McClelland, D M Ray.

Egypt Township : Isham Fender, Robert Lewis, L S Phillips.

Ramsey Town Township : C R Byrd, Daniel Miller, J W Peak.

Jack's Creek Township : W A Peterson, Malcom McCurry, sr, E M Honeycutt.

Brush Creek Township : G B Wooddy, W H Deaton, Jeremiah Hughes.

Crabtree Township : J W Higgins, John Cox, J C Griffith.

South Toe Township : Jason Ballou, Wm Hutchins, George Robinson.

Pensacola Township : Leander Ray, William Allen, M P Ray.

We therefore declare that the above named persons, having each received a majority of the votes cast in each House of the General Assembly, have been duly elected Justices of the Peace for their respective townships and counties as above set forth, all of which is respectfully reported.

Bill for the appointment of special tax collectors in certain cases passed its second and third readings.

Mr. Dortch offered the following protest :

“ The protest of I. F Dortch, Senator from the Tenth District, respectfully sheweth :

The lists of names of the Justices of the Peace for the counties of Greene and Lenoir were sent to him, signed by the Chairmen of the Dem. Ex. Committees of said counties. That when the county of Greene was called by the Committee on the Election of Justices, the Representative from

Greene, Mr. Ormond, declined to concur in the rule of the Committee to give one-third of the Justices to Republicans in those counties represented by them in the General Assembly. The names presented by me were, on motion, adopted. Afterward, without notice, and without my knowledge or consent, this county was re-opened and such names were stricken out, and others inserted, as the Committee thought proper. In accordance with the rule of the Committee, I signed a compromise list for Lenoir county, but under protest; and at some subsequent time, without my knowledge or consent, this county was re-opened, and in the township of Pink Hill, where no Republican Justice was elected by the people, two Republicans and one Democratic Justice were elected.

As I am convinced that the action of the Committee will not meet the approval of these counties, I enter this my protest against the action of said Committee. And for this reason I protest against the action of the Senate in endorsing the action of said Committee.

I. F. DORTCH”

The protest was ordered to be spread upon the Journal.

Bill to incorporate the Trustees of Mt. Zion Church, Union county, passed its second and third readings.

Bill to incorporate the Trustees of Antioch Methodist Church, Union county, passed its second and third readings.

Bill to incorporate Mill Creek Baptist Church, Union county, passed its second and third readings.

House amendment to Senate bill for the relief of the surties of T F Lee was concurred in and the bill ordered enrolled.

Resolution from the Committee on Contingent Expenses, resolution in favor of the employes of the Senate, passed its second and third readings.

Message from the House of Representatives amending Senate bill 888 by a proviso, "that no process shall be served by any Justice of the Peace to any county other than his own."

Mr. Dortch moved the Senate do not concur, which was lost for want of a quorum.

Mr. Robinson moved the Senate do concur, and called for the ayes and noes.

Mr. Caho demanded the previous question, which was sustained.

The call for the ayes and noes was sustained, and the motion to concur prevailed, ayes 18, noes 10, as follows :

*Affirmative*—Messrs. Askew, Rennett, Caho, Coke, Crawford, Cunningham, Dunn, Ferguson, Hughes, Johnston, Liles, Mebane of Bertie, Nicholson, Robinson, Sandifer, Thorne and Waddell—18.

*Negative*—Messrs. Dortch, Finger, Graham, Holt, Mebane of Rockingham, Moore of Mecklenburg, Roberts, Scales, Short and Wilson—10.

Mr. Liles, of tellers on the part of the Senate to superintend the election of officers of the Criminal Courts for the counties of Wake and New Hanover, reported :

For Judge of the Criminal Court of the county of Wake George V. Strong received 109 votes ; Mr. Gatling received 3.

For Solicitor of said Court, T. P. Devereux received 95 votes ; T. R. Purnell 15.

For Clerk of said Court Weston R. Gales received 111 votes.

For Judge of the Criminal Court of the county of New Hanover Oliver P. Meares received 100 votes.

For Solicitor of said Court B. R. Moore received 106 votes ; Mr. Bledsoe received 12.



For Clerk of said Court John W. Dunham received 103 votes; Mr. Fowler received 17.

Whereupon, Mr. George V. Strong was declared elected Judge of the Criminal Court for the county of Wake; T. P. Devereux, Solicitor, and Weston R. Gales, Clerk of said said Court; and Mr. O. P. Meares, Judge of the Criminal Court of the county of New Hanover, B. R. Moore, Solicitor, and John W. Dunham, Clerk of said Court, for the terms respectively prescribed in the acts establishing said Courts.

Mr. Graham moved that when the Senate adjourned, it do so to meet at 4 o'clock, P. M., which prevailed.

On motion of Mr. Liles, the Senate adjourned until 4 o'clock.

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#### AFTERNOON SESSION.

SENATE CHAMBER, March 10th, 1877—4 P. M.

Senate met.

Lieutenant Governor Jarvis in the chair.

Message from the House of Representatives announcing that the House had amended and passed the bill to provide for the extra compensation of clerks.

On motion, the amendment was concurred in and the bill ordered enrolled.

By consent, Mr. Mebane, of Rockingham, introduced S. B. 930, bill supplemental to an act to establish inferior courts.

The rules were suspended and the bill passed its second and third readings.

On motion of Mr. Scales, S. B. 920, bill concerning dogs and for the protection of sheep, was taken from the table and put on second reading.

On motion of Mr. Dortch, it was laid on the table.

S. R. 831, resolution in favor of the employes of the Senate, passed its second and third readings. Transmitted to the House without engrossment.

Bill in regard to the support of lunatics outside the Asylum passed its second and third readings.

House amendments to bill to prohibit the sale of liquors or bitters near Franklin, Macon county, was concurred in the bill ordered enrolled.

On motion, the Senate adjourned until 7:30 P. M.

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EVENING SESSION.

MARCH 10th, 1877—7:30 P. M.

Senate met.

Lieutenant Governor Jarvis in the chair.

Message from the House of Representatives announcing that that body had refused to concur in Senate amendment to H. B. 165, S. B. 876, bill providing for the Governor taking his seat at an earlier time than now provided.

On motion of Mr. Graham, it was indefinitely postponed.

H. B. 499, bill to incorporate the North Carolina Border Railroad Company, passed its second and third readings.

Message from the House of Representatives transmitting

House amendments to S. B. 818, H. B. 833, bill concerning the banks of the Cape Fear river on rice plantations.

On motion of Mr. Bennett, the Senate concurred in the amendment and the bill was ordered enrolled.

Message from the House of Representatives transmitting H. R. 174, resolution in favor of Daniel R. Goodloe.

The rules were suspended and the resolution passed its second and third readings.

By consent, Mr. Crawford introduced S. R. 840, resolution in favor of Mr. W. V. Clifton.

The rules were suspended and the resolution passed its second and third readings, and was transmitted to the House without engrossment.

S. B. 912, bill to amend chapter 161, Laws of 1874-'75, passed second and third readings. Transmitted to the House without engrossment.

Mr. Askew introduced S. R. 941, resolution to distribute and print certain laws of the session of 1876-'77.

The rules were suspended and the resolution passed its second and third readings and was transmitted without engrossment.

House amendment to S. R. 704, H. R. 151, resolution to investigate the Albemarle and Chesapeake Canal Company.

Mr. Mebane moved to concur, which was lost.

On motion, it was indefinitely postponed.

The President announced as Senate branch of the joint committee to examine the accounts of the State Treasurer, Messrs. Graham and Waddell.

H. R. 207, S. R. ---, resolution to authorize the Treasurer to secure certain moneys, passed its second and third readings and was ordered enrolled.

On motion of Mr. Dortch, the Senate adjourned.



## EIGHTY-SECOND DAY.

SENATE CHAMBER, March 12th, 1877.

Senate met.

Lieutenant Governor Jarvis in the chair.

Prayer by Rev. Dr. Marshall, of the city.

The reading of the Journal of Saturday was dispensed with.

Mr. Moore, of Meeklenburg, from Committee on Enrolled Bills, reported as correctly enrolled :

S. B. 870, H. B. 842, An Act supplemental to An Act to divide the State into nine (9) Judicial Districts, and for other purposes ;

H. R. 190, S. R. 867, resolution to request the Judge of the Circuit Court of the United States to revoke or suspend the order of appointing a receiver, &c;

S. B. 890, H. B. 856, An Act supplemental to An Act to establish a Department of Agriculture, Immigration and Statistics ;

H. B. 451, S. B. 827, An Act to amend chapter 152, public laws of 1874-'75 ;

S. B. 761, H. B. 800, An Act supplemental to and explanatory of the Act to provide for the speedy completion of the Western North Carolina Railroad, passed at present session of the General Assembly ;

H. B. 461, S. B. 826, an Act to incorporate the town of Vanceboro, in the county of Craven;

S. B. 730, H. B. 809, An Act to provide the means for the government of the State Penitentiary ;

H. B. 758, An Act to incorporate the Statesville and Taylorsville Road Locomotive and Transportation Company ;

S. B. 694, H. B. 765, An Act to change the time of holding the municipal elections of the town of Elizabeth City ;

H. B. 669, An Act to prohibit the sale of spirituous liquors within two miles of Union Church and Morrison Church, in the county of Macon ;

H. B. 673, S. B. 843, An Act to amend chapter 104, section 41, line 2, Battle's Revisal ;

H. B. 643, S. B. 831, An Act to prevent felling of trees within high water mark of Fisher's river, in the county of Surry ;

H. B. 557, S. B. 869, An Act to amend An Act entitled An Act to charter the Georgia and North Carolina Railroad Company, chapter 167, Laws of 1870-'71 ;

H. B. 560, S. B. 757, An Act to authorize the Commissioners of Charlotte to levy a special tax ;

H. B. 234, S. B. 795, An Act to amend the Landlord and Tenant Act ;

S. B. 668, H. B. 742, An Act to establish a Department of Agriculture, Immigration and Statisticts and for the encouragement of sheep husbandry ;

H. B. 384, S. B. 842, An Act to incorporate Sugar Creek Presbyterian Church, in the county of Mecklenburg ;

H. B. 499, S. B. 39, An Act to amend An Act to incorporate the North Carolina Border Railroad Company ;

S. B. 711, H. B. 770, An Act to incorporate the Suffolk and Albemarle Land and Railroad Company ;

H. R. 207, S. R. —, resolution authorizing the Treasurer to receive certain money deposited by E. G. Hill, Sheriff and Tax Collector of Johnston county, in the Raleigh National Bank ;

H. B. 843, S. B. 388, An Act to allot and distribute the judicial power of the State ;

S. B. 836, H. B. 589, An Act concerning insurance ;

S. B. 734, H. B. 799, An Act to incorporate the Dan River Coal and Mining Company ;



H. B. 233, S. B. 516, An Act to authorize townships having within their limits cities of 5,000 inhabitants and upwards to levy taxes for the support of graded public schools ;

S. B. 818, H. B. 833, An Act supplemental to An Act of the present session entitled An Act to make all outside and division banks on rice plantations, lying upon the Cape river, from ten (10) miles above Wilmington to the mouth of that river, lawful fences. Ratified February 21st, 1877 ;

H. B. 626, S. B. 798, An Act to be entitled an Act to prevent the hauling of seines in the waters of Tar river upon certain days ;

S. R 892, H. R. 205, resolution in favor of clerks to the Committee on Nominations of Justices of the Peace and for other purposes ;

S. B. 476, H. B. 534, an Act to incorporate the Orphans Home of Western North Carolina ;

S. B. 634, H. B. 807, an Act in relation to State Penitentiary ;

S. B. 451, H. B. 533, an Act to incorporate the Pioneer Fire Company, No 2, of the city of Charlotte ;

H. B. 823, S. B. 883, an Act to amend chapter 156, Laws of 1872-'73 ;

H. R. 176, S. R. 882, resolution in relation to necessary repairs on State property ;

H. B. 756, S. B. —, an Act in relation to piloting within the waters of Carteret county ;

H. B. 755, S. B. 893, an Act to amend section 8, chapter 92, Battle's Revisal ;

H. B. 693, S. B. 858, An Act to amend an Act ratified March 22nd, 1875, entitled an Act to extend the time for the organization of certain corporations, and to change the name of the Haw River Iron Company ;

H. B. 708, S. B. 859, An Act to entitled an Act to repeal chapter 193, Laws 1874-'75 ;



S. B. 774, H. B. 836, An Act to provide for the appointment of Commissioners to confer with the holders of the valid bonds of the State;

H. B. 752, S. B. 864, An Act to extend the time for the completion of certain locks and dams on the Cape Fear river ;

H. B. 735, S. B. 811, An Act to incorporate the town of Swansboro, in Onslow county ;

H. R. 174, a resolution in favor of Daniel R. Goodloe, commissioner to take depositions in the case of Geo King, vs. H. W Carter ;

H. B. 484, S. B. 796, An Act to incorporate the Hook and Ladder Company, No 1, of Tarboro, Edgecombe county, North Carolina ;

H. R. 194, S. R. 850, resolution on adjournment ;

H. B. 576, S. B. 784, An Act to provide for the support of the North Carolina Institution of the Deaf and Dumb and the Blind for the years 1877-'78 ;

H. B. 665, S. B. 824, An Act to incorporate the Wilmington Compress and Warehouse Company ;

S. B. 601, H. B. 676, An Act to incorporate the King's Mountain Mining Company ;

Resolution in relation to the Confederate cemetery ;

S. B. 535, H. B. 803, An Act for the relief of the sureties to the bond given by T. F Lee, late Sheriff of Wake county, for the collection of taxes of said county for the year 1873 ;

S. B. 789, H. B. 826, An Act to authorize the Commissioners of Cabarrus county to issue bonds to fund and pay the county debt ;

H. B. 83, S. B. 655, An Act for the appointment of special tax collectors in certain cases ;

H, R. 590, S. R. 192, resolution requiring and providing for the indexing of the Journals of the two Houses of the General Assembly and preparation and indexing of Legislative Documents ;

*Compare, p. 435, By Mr. Holt  
S.R. 590, resolution requiring  
and providing*

H. B. 783, S. B. 898, An Act to incorporate Mill Creek Baptist Church, in the county of Union ;

S. B. 839, An Act for the establishment of the State Guard ;

H. B. 784, S. B. 897, An Act to incorporate Zion Methodist Episcopal Church, in the county of Union ;

S. B. 783, H. B. 818, An Act to amend sections 1 and 5, chapter 138, Laws of 1873-'74 ;

H. R. 96, S. R. 526, resolution to pay the Governor of the State the proceeds arising from the rent of the property known as the Governor's Mansion ;

S. R. 899, H. R. 700, resolution in favor of the clerks and employes of the Senate ;

S. B. 550, H. B. 857, An Act to prohibit the sale of liquors in certain localities ;

H. R. 165, S. R. 914. resolution in favor of B. K. Dickey, of Cherokee county, and for other purposes;

S. B. 697, H. B. 806, An Act to regulate the sale of spirituous liquors in the townships of Barton's Creek and New Light, in Wake county;

S. B. 677, H. B. 763, An Act to change the boundaries of the town of Elizabeth City;

S. B. 319, H. B. 819, An Act to incorporate the Farmer's Savings Bank of Ridgeway, North Carolina ;

H. B. 781, S. B. 913, An Act to confirm a change of the line between Forbush and Liberty townships, in Yadkin county ;

S. B. 666, H. B. 732, An Act authorizing the Commissioners of Sampson county to levy a special tax ;

H. B. 668, S. B. 874, An Act to incorporate the trustees of Antioch Methodist Church and Camp Grounds, in the county of Union;

H. B. 706, S. B. 879, An Act to regulate elections ;

S. R. 762, H. R. 193, resolution in favor of H. L. Watson, Tax Collector of Johnston county ;



S. B. 765, H. B. 804, An Act to prohibit the sale of intoxicating liquors or bitters within two miles of Franklin, Macon county ;

S. B. 591, H. B. 891, An Act to authorize the Commissioners of Hillsboro to sell the Academy lot in said town ;

H. B. 601, S. B. 889, An Act in relation to the city of Raleigh ;

S. B. 121, H. B. 849, An Act concerning paupers in the several counties of the State ;

S. B. 930, H. B. 897, An Act supplemental to An Act to establish courts inferior to the Supreme Court to be styled Inferior Courts ;

H. B. —, S. B. —, An Act supplemental to An Act, passed at the present session of the General Assembly, entitled An Act to be entitled An Act to divide the State into nine Judicial Districts and to provide for the election of three Justices of the Supreme Court, three Judges of the Superior Court and nine Solicitors ;

S. R. 941, H. R. 209, resolution to print and distribute certain copies of Acts of 1876-'77 ;

S. B. 921, H. B. 896, An Act to amend chapter 151, Laws of 1874-'75 ;

S. B. 658, H. B. 769, An Act to incorporate the town of Yanceyville ;

S. R. 8, H. R. 204, resolution to raise a commission to examine the accounts of the State Treasurer ;

S. B. 302, H. B. 619, An Act for the encouragement of the watering place at White Sulphur Springs, Surry county ;

S. B. 628, H. B. 893, An Act to prohibit the sale of spirituous liquors within two miles of the Orphan Asylum, in Granville county ;

H. B. 779, S. B. 795, An Act to amend section 1, chapter 6, of Private Acts of 1870-'71 ;

An Act to protect the farmers of Union county ;



S. B. 700, H. B. 764, An Act to amend the charter of the town of Edenton ;

H. B. 753, S. B. —, An Act to establish a Criminal Court in the county of Wake ;

S. R. 950, resolution in favor of Richard Grainger ;

S. R. 452, H. R. 159, a resolution authorizing the Governor to offer a reward for Tilman Cranford ;

S. R. 502, H. R. 134, a resolution for the relief of Hon. R. H. Cannon, now riding the First Judicial District ;

S. R. 920, a resolution in favor of clerks of the General Assembly ;

S. B. 793, H. B. 900, An Act to incorporate the Wilmington and New River Steam Navigation Company ;

S. B. 584, H. B. 712, An Act to amend section 10, chapter 182, of the Laws of 1872-'73 ;

H. B. 845, S. B. 932, An Act concerning the maintenance of the lunatics outside of the Insane Asylum ;

H. B. 841, S. B. 912, An Act to amend An Act to incorporate the Atlantic and North Carolina and the Western Railroad Companies ;

H. B. 128, S. B. 840, An Act in regard to publishing county exhibits, amending chapter 27, section 18, of Battle's Revisal ;

H. B. 414, S. B. 818, An Act to amend the act incorporating the town of Morganton, and acts amendatory of said acts ;

S. B. 835, H. B. 890, An Act to provide an Asylum for the colored insane of the State ;

S. B. 834, H. B. 832, An Act to authorize certain persons to convey title to certain lots, or parts of lots, in Franklin, Macon county ;

S. B. 880, H. B. 842, An Act supplemental to An Act ratified the 17th day of February, 1877 ;

S. B. 723, H. B. 760, An Act regulating the terms of the several Superior Courts of the Seventh Judicial District ;

S. B. 822, H. B. 855, An Act to amend Battle's Revisal, chapter 65, section 10 ;

H. B. 697, S. B. 828, An Act to prevent obstructions to the passage of fish up the Tuckaseege river, Jackson county ;

H. B. 500, S. B. 800, An Act to ratify the laying off and establishing of a township known as Clear Creek township, in the county of Henderson, and ratifying the boundary lines of the several townships in said county ;

S. B. 681, H. B. 727, An Act to give Justices of the Peace jurisdiction in civil actions not founded on contracts ;

H. B. 369, S. B. 766, An Act to locate a permanent seat of justice in Pender county ;

H. B. 218, S. B. 783, An Act to secure to owners of real estate, residing in this State, a homestead in fee simple ;

S. B. 709, H. B. 810, An Act to provide for the removal of the county seat of Johnston county ;

S. B. 768, H. B. 596, An Act to raise revenue, known as the Revenue Act ;

H. B. 685, S. B. 851, An Act to divide the State into nine Judicial Districts, and to provide for the election of three (3) Judges of the Superior Court and nine (9) Solicitors ;

S. B. 727, H. B. 794, An Act to amend section 74 of the Code of Civil Procedure and in other particulars ;

S. B. 690, H. B. 718, An Act to establish a Criminal Court in the county of New Hanover ;

H. B. 450, S. B. 740, An Act to repeal section 2, chapter 200, of the Laws of 1874-'75, entitled An Act to divest the Superior Courts of jurisdiction over misdemeanors in failing to list polls and property and for other purposes ;

H. B. 583, S. B. 754, An Act to confer upon the mayor, or other chief officer of every city or incorporated town in



the State, the criminal jurisdiction of a Justice of the Peace and other judicial powers ;

S. B. 763, H. B. 820, An Act to afford relief to the sureties of Isaac Pipkin, late Sheriff of Hertford county ;

S. B. 278, H. B. 728, An Act to enable Trustees of the Presbyterian Church at Louisburg to transfer certain property ;

H. B. 724, S. B. 810, An Act to indemnify Polk county for the support of a certain lunatic ;

S. B. 748, H. B. 787, An Act to provide for the holding of the May Term of Pitt Superior Court ;

H. B. 568, S. B. 816, An Act to change the dividing line between Blue Springs and Robeson county ;

S. B. 429, H. B. 679, An Act to amend chapter 201, Laws of 1874-'75, entitled An Act providing a fence law for the counties of Anson, Union and Guilford ;

H. B. 695, S. B. 846, An Act to incorporate the Roan Mountain Steel and Iron Company ;

H. B. 754, S. B. 824, An Act to establish a public ferry in Davidson and Davie counties ;

H. B. 828, S. B. 860, An Act to establish a public ferry in the counties of Davie and Davidson ;

S. B. 804, H. B. 814, An Act to extend the time to incorporate the Portis Gold Mining Company, in Franklin county ;

S. B. 472, H. B. 774, An Act to establish normal schools ;

H. B. 624, S. B. 750, An Act to incorporate Mount Mourne Lodge, No. three hundred and forty-seven of Free and Accepted Masons, in the county of Iredell ;

S. R. 701, H. R. 191, resolution in favor of James T. Hunter, Sheriff of Alamance county ;

H. B. 666, S. B. 808, An Act to amend the charter of the town of Concord in the county of Cabarrus ;

S. B. 386, H. B. 719, An Act to canal Angola Bay ;



S. B. 610, H. B. 791, An Act to amend chapter 235, Laws of 1869-'70 ;

H. B. 759, S. B. 876, An Act to amend an Act entitled an Act to incorporate the "the Wilmington and Coast Turnpike Company," ratified the 19th day of March, A. D. 1875;

S. B. 263, H. B. 433, An Act to amend section 23, chapter 45, of Battle's Revisal ;

S. B. 498, H. B. 453, An Act to incorporate the town of Huntersville, in the county of Mecklenburg;

S. B. 348, H. B. 418, An Act to revise and consolidate the public school law.

All of which were duly ratified and transmitted to the office of the Secretary of State.

Mr. Thorne introduced the following resolution, (Mr. Wilson in the Chair):

*Resolved.* That we tender our sincere, heartfelt thanks to Lieutenant Governor Jarvis for the able, dignified and impartial manner in which he has presided over the deliberations of this Senate.

*Resolved, also,* That we tender the same sincere and heartfelt thanks to Senator J. L. Robinson, of Macon, for the courteous, able and impartial manner in which he presided during his temporary occupation of the chair.

The resolutions were unanimously adopted.

The hour of 12 M. having arrived, Lieutenant-Governor Jarvis, after expressing his sincere appreciation of the uniform courtesy shown him by Senators, and wishing each

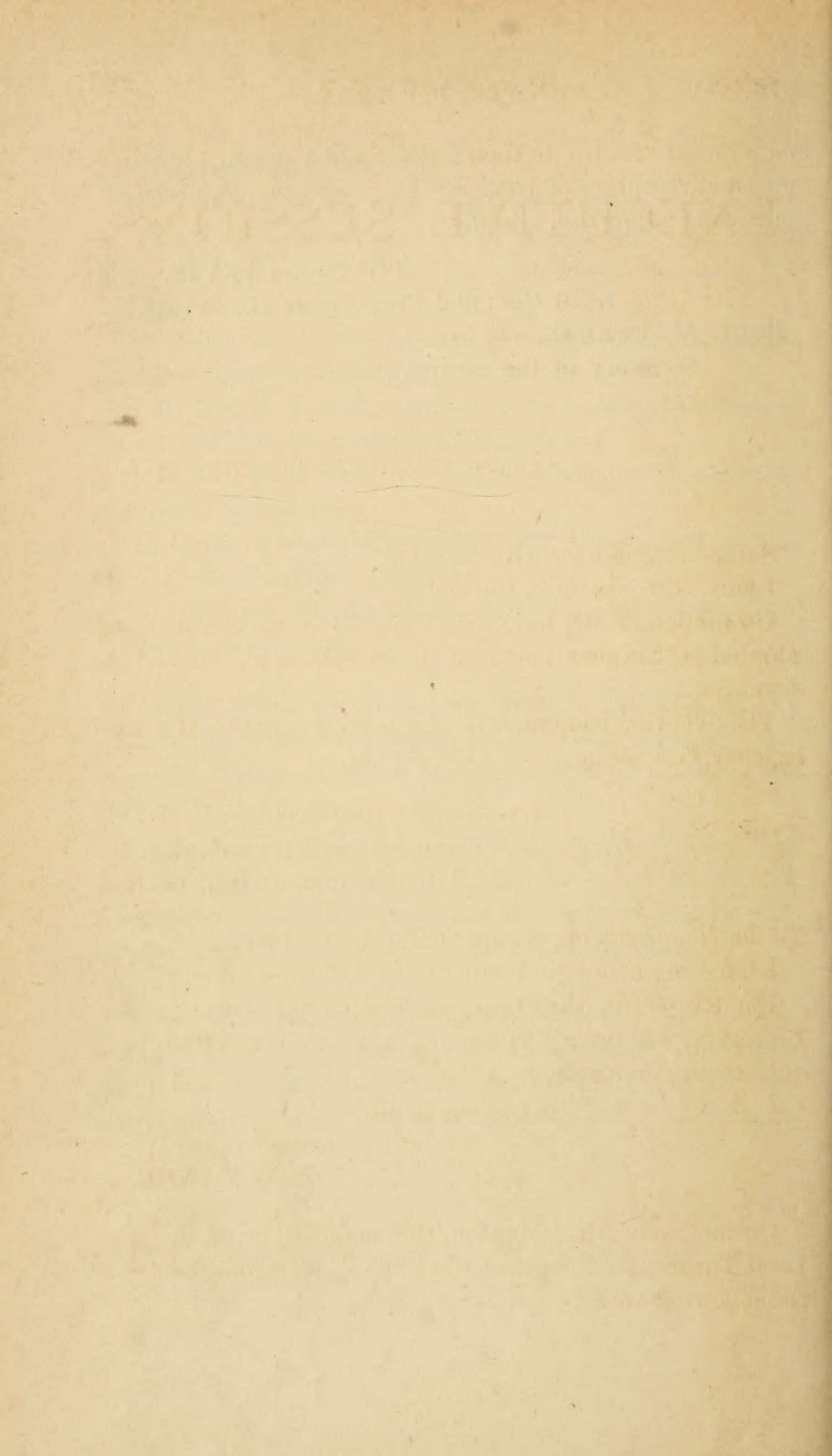
and all a safe return to their homes, and a warm endorsement and reception of each by his constituents, declared the Senate adjourned, *sine die*.

THOS. J. JARVIS,

Lieut-Gov. and President of the Senate.

ROBT. M. FURMAN,

Secretary of the Senate.





# EXECUTIVE SESSIONS.

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SENATE CHAMBER, Jan. 9th, 1877.

Senate met in executive session.

Lieut. Gov. Jarvis in the chair.

On motion of Mr. Robinson, the rules of the Senate were adopted for the government of the Senate in executive session.

The following communication was received from His Excellency, Gov. Vance :

EXECUTIVE DEPARTMENT,  
STATE OF NORTH CAROLINA,  
Raleigh, January 9th, 1877.

*To the Honorable the Senate of North Carolina :*

I have the honor to nominate the following officers :

For Keeper of the Capitol, J. McLeod Turner ; for Librarian, Sherwood Haywood, and to respectfully request your confirmation of the same.

Most respectfully,

Your obedient servant,

Z. B VANCE.

On motion of Mr. Robinson, the nomination of J. McLeod Turner, for Keeper of the Capitol, was confirmed by the following vote :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—41.

*Negative*—Messrs. Dockery and Green—2.

On motion of Mr. Dortch, the nomination of Sherwood Haywood, for Librarian, was confined, ayes 40, noes 2, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Heilig, Holt, Hughes, Johnston, Justice, Latham, Liles, Mabson, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—40.

*Negative*—Messrs. Dockery and Green.

The President then declared J. McLeod Turner duly elected Keeper of the Capitol, and Sherwood Haywood Librarian.

On motion of Mr. Troy, the Senate in executive session adjourned.

## EXECUTIVE SESSION.

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SENATE CHAMBER, Jan. 13th, 1877.

Senate met in executive session.

Lieut. Gov. Jarvis in the chair.

The following communication was received from His Excellency, Gov. Vance :

## EXECUTIVE DEPARTMENT

STATE OF NORTH CAROLINA,

Raleigh, January 13th, 1877.

*To the Honorable the Senate of North Carolina :*

I have the honor to nominate the following persons for the position of Trustees of the North Carolina Institute for the Deaf, Dumb and Blind, viz :

R. S. Tucker, J. J. Litchford, Seaton Gales, Thos. D. Hogg, J. R. Williams, Chas. D. Heartt, and J. M. Betts, and to respectfully request your confirmation of the same.

I have the honor to be, Senators,

Your obedient servant,

Z. B. VANCE.

Upon motion of Mr. Robinson, the nomination of R. S. Tucker was confirmed, ayes 30, noes 1, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Coke, Cunningham, Dortch, Ferguson, Finger, Heilig, Johnston, Justice, Latham, Liles, Mebane of Reckingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—30.

*Negative*—Mr. Dockery.



Upon motion of Mr. Robinson, the nomination of Mr. J. J. Litchford was confirmed, ayes 32, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Heilig, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—32.

*Negative*—None.

Upon motion of Mr. Robinson, the nomination of Thomas D. Hogg was confirmed, ayes 30, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Heilig, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—30.

*Negative*—None.

Upon motion of Mr. Standford, the nomination J. R. Williams was confirmed, ayes 33, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Heilig, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—33.

*Negative*—None.

Upon motion of Mr. Standford, the nomination of Chas. D. Heartt was confirmed, ayes 33, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Heilig, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, San-

difer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—33

*Negative*—None.

Upon motion of Mr. Robinson, [the nomination of Mr. Seaton Gales was confirmed, ayes 29, noes 0, as follows:

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Bryant, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Heilig, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Robins, Robinson, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—29.

*Negative*—None.

Upon motion of Mr. Justice, the nomination of J M. Betts was confirmed, ayes 33, noes 0, as follows:

*Affirmative*—Messrs, Albright, Askew, Bennett, Bingham, Boddie, Caho, Coke, Cunningham, Dortch, Ferguson, Finger, Heilig, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robins, Robinson, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Wilson and York—33.

*Negative*—None.

On motion of Mr. Dortch, the executive session adjourned.

## EXECUTIVE SESSION.

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SENATE CHAMBER, January 20th, 1877.

Senate met in executive session.

Lieutenant Governor Jarvis in the chair.

The following communication was received from His Excellency, Governor Vance :

EXECUTIVE DEPARTMENT,  
STATE OF NORTH CAROLINA,  
Raleigh, January 20th, 1877.

*To the Honorable the Senate of North Carolina :*

I have the honor to nominate for Directors of the Penitentiary the following persons, viz :

David M. Carter, of Wake county,

Thos. H. Briggs, of Wake county,

Chas. S. Yates, of Guilford county,

Geo. W. Thompson, of Chatham county,

Geo. S. Cole, of Moore county.

I respectfully request your confirmation of the same.

I am, Senators,

Your obedient servant,

Z. B. VANCE.

Upon motion of Mr. Robinson, the nomination of Mr. D. M. Carter was confirmed, ayes 32, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Holt, Johnston, Justice, La



Liles, Moore of Mecklenburg, Nicholson, Robbins, Robinson, Roberts, Sandifer, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—32.

*Negative*—None.

On motion of Mr. Dortch, the nomination of Thos. H. Briggs was confirmed, ayes 32, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Holt, Johnston, Justice, Latham, Liles, Moore of Mecklenburg, Nicholson, Robbins, Robinson, Roberts, Sandifer, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—32.

*Negative*—None.

On motion of Mr. Wilson, the nomination of Mr. Chas. S. Yates was confirmed, ayes 31, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Holt, Johnston, Justice, Latham, Liles, Nicholson, Robins, Robinson, Roberts, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—31.

*Negative*—None.

On motion of Mr. Albright, the name of Mr. Geo. W. Thompson was confirmed, ayes 33, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Holt, Johnston, Justice, Latham, Liles, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—33.

*Negative*—None.

On motion of Mr. Robins, the nomination of Mr. Geo S. Cole was confirmed, ayes 33, noes 0, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Fer-

guson, Finger, Graham, Holt, Johnston, Justice, Latham, Liles, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Standford, Stickney, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and York—33.

*Negative*—None.

On motion of Mr. Holt, the Senate, sitting in executive session, adjourned.

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## EXECUTIVE SESSION.

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SENATE CHAMBER, March 9th, 1877.

The Senate met in executive session.

Lieutenant Governor Jarvis in the chair.

The reading of the journal of the last session was dispensed with.

The following communication was received from His Excellency, Governor] Vance :

EXECUTIVE DEPARTMENT,  
Raleigh, N. C. March 8th, 1877.

*To the Honorable the Senate of North Carolina :*

I have the honor to nominate the following persons for the position of Directors of the Insane Asylum, viz :

Hon. James T. Leach, of Johnston county,

Rev. B. Craven, of Randolph “

Maj. C. Dowd, of Mecklenburg “

Col. Jas. J. Burr, of New Hanover “

Col. Jas. S. Amis, of Granville county.

Dr. S. G. Ward, of Warren “

George D. Green, Esq., of Wilson “

Dr. E. Burke Haywood, of Wake “

A. M. McPheeters, Esq., “ “

I respectfully solicit your confirmation thereof.

I am, Senators,

Very respectfully,

Your ob't serv't,

ZEBULON B. VANCE.

Mr. Folk moved to vote for the nominations as a whole.  
Adopted.

Voting for Mr. Leach :

Messrs. Albright, Askew, Bennett, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Moore of Meeklenburg, Moore of New Hanover, Nieholson, Robinson, Roberts, Sandifer, Seales, Standford, Stewart, hort, Thorne, Waddell, Wilson and Wynne—30.

For Mr. Craven :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Moore of Meeklenburg, Nieholson, Robinson, Roberts, Sandifer, Seales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and Wynne—36.

For Mr. Dowd :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston; Latham, Liles, Mebane of Bertie, Moore of Meeklenburg, Nicholson, Robinson, Roberts, Sandifer, Seales, Standford, Stewart,



Short, Thorne, Troy, Waddell, Williams, Wilson and Wynne—36.

For Mr. Burr :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Moore of New Hanover, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and Wynne—37.

For Mr. Amis :

Messrs. Albright, Askew, Bennett, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Wilson and Wynne—29.

For Mr. Ward :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and Wynne—36.

For Mr. Green :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and Wynne—36.

For Mr. Haywood :

Messrs. Albright, Askew, Bennett, Cunningham, Dortch,

unn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Stanford, Stewart, Short, Thorne, Troy, Wilson and Wynne—29.

For Mr. McPheeters:

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Dunn, Ferguson, Finger, Folk, Graham, Heilig, Holt, Hughes, Johnston, Latham, Liles, Mebane of Bertie, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Stanford, Stewart, Short, Thorne, Troy, Waddell, Williams, Wilson and Wynne—36.

Whereupon the Lieutenant Governor declared Messrs. Leach, Craven, Dowd, Burr, Amis, Ward, Green, Haywood, and McPheeters duly elected Directors of the Insane Asylum.

On motion of Mr. Robinson, the Senate, sitting in executive session, adjourned.

## EXECUTIVE SESSION.

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SENATE CHAMBER, March 10th, 1877.

Senate met in executive session.

Lieutenant Governor Jarvis in the chair.

The following communication was received from His Excellency, Governor Vance :

EXECUTIVE DEPARTMENT,  
STATE OF NORTH CAROLINA,  
Raleigh, March 9th, 1877

*To the Honorable the Senate of North Carolina :*

I have the honor to nominate the following persons for Directors, on the part of the State, in the Western North Carolina Railroad Company, and to respectfully solicit your confirmation of the same, viz :

First Congressional District,	W. P. Roberts.
Second           “           “	Wm. T. Dortch.
Third           “           “	V. V. Richardson.
Fourth          “           “	R. H. Battle, Jr.
Fifth           “           “	Junius I. Scales.
Sixth           “           “	A. M. Powell.
Seventh        “           “	F. E. Shoher.
Eighth         “           “	Jas. L. Robinson.
State at large.	Ephraim Clayton.

I am, Senators,

Your obedient servant,

Z. B. VANCE.

On motion the nominations were severally confirmed, as follows :

Voting for Mr. Roberts:



Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Hughes, Johnston, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

For Mr. Dortch :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

For Mr. Richardson :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

For Mr. Battle :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

For Mr. J. I. Scales :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Liles, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

For Mr. Powell :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke,

Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

For Mr. Shober :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

For Mr. Robinson :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Liles, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

For Mr. Clayton :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

Whereupon the Lieutenant Governor declared the gentlemen above named duly confirmed as Directors on the part of the State in the Western North Carolina Railroad.

The following communication was also read from His Excellency, Governor Vance :

EXECUTIVE DEPARTMENT,  
STATE OF NORTH CAROLINA,  
Raleigh, March 9th, 1877.

*To the Honorable the Senate of North Carolina :*

I have the honor to nominate the following persons as Commissioners of the Western Insane Asylum in accordance with the act to provide for the completion thereof, viz :

James C. Harper, of Caldwell county,

J. G. Hall, of Catawba “

Wm. R. Myers, of Mecklenburg “

I respectfully solicit your confirmation of the same.

I am, Senators,

Most respectfully,

Your obedient servant,

Z. B. VANCE.

On motion, the nominations were confirmed, as follows :

Voting for Mr. Harper :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Liles, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

For Mr. Hall :

Messrs. Albright, Askew, Bennett, Boddie, Caho, Coke, Crawford, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Johnston, Liles, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell, Wilson and Wynne—29.

For Mr. Myers :

Messrs. Albright, Askew, Bennett, Boddie, Coke, Craw-



tord, Cunningham, Dortch, Ferguson, Finger, Graham, Heilig, Holt, Hughes, Johnston, Mabson, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, Scales, Standford, Short, Thorne, Troy, Waddell Wilson and Wynne—29.

Whereupon Messrs. Harper, Hall and Myers were declared duly confirmed as Commissioners of the Western Insane Asylum.

On motion, the Senate, sitting in executive session, adjourned.

## A P P E N D I X .

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[The reason that the following proceedings of the evening session of the Senate do not follow those of the morning of the same date is, that it was not furnished the printer from the office of the Secretary of State, which office the Secretary of the Senate failed to furnish in time.]

### EVENING SESSION.

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WEDNESDAY, February 7th, 1877—7:30 P. M.

Senate met.

Mr. Robinson, President *pro tem.*, in the chair.

The following named bills and resolutions were acted upon as follows :

H. B. 166, S. B. 275, bill to make it a misdemeanor to carry concealed deadly weapons upon its third reading, and passed.

H. B. 325, S. B. 436, bill to authorize the County Commissioners of Hyde county to levy a special tax, on second reading, and passed, ayes 33, noes 2, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Caho, Dortch, Dockery, Finger, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Bertie, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Robins, Robinson, Roberts, Sandifer, Scales, Standford,

Stickney, Stewart, Thorne, Troy, Waddell, Williams, Wilson, Wynne and York—33.

*Negative*—Messrs. Dunn and Mabson—2.

H. B. 292, S. B. 401, bill to incorporate King's Mountain Baptist Female Seminary, at Shelby, N. C., on second reading.

The amendment offered by the Committee on Corporations, "amend section 3 by striking out real and personal property not exceeding \$200,000 in value" and insert "real and personal property not exceeding in value \$50,000," was adopted and the bill then passed its second reading.

The bill was then read its third time and passed.

H. B. 246, S. B. 402, bill to amend sections 1 and 5, chapter 138, Laws of 1873-'74, was placed upon the Special Calendar.

S. B. 403, bill to incorporate the Trustees of the Lillington Academy, Pender county, on second reading.

The amendments offered by the Committee on Corporations, "in the enacting clause the words 'North Carolina, be inserted; in section 3, 'less than ten nor' be stricken out, and 'one month' be stricken out and 'thirty days' inserted," were adopted.

Mr. Troy offered an amendment to strike out "or both at the discretion of the Court," which was adopted.

The bill then passed its second reading and was read the third time and passed.

H. B. 246, S. B. 402, bill to amend sections 1 and 5, chapter 138, Laws of 1873-'74, was taken from the Calendar and referred to Committee on Propositions and Grievances.

S. B. 404, bill to incorporate the South Fork Bridge Company, in Ashe county, on second reading and passed.

The bill was read third time and passed.

Hon. H. C. Jones was invited to a seat upon the floor of the Senate.



At 8 P. M., S. B. 458, bill to provide for an inferior court in the several counties of the State, it being the special order for that hour, was taken up on second reading.

The bill was considered by sections.

The following amendments recommended by the Committee on the Judiciary were adopted.

1. Strike out section 6 ;

2. Strike out all after line 4, in section 7, of the printed bill, and in lieu thereof insert "and except the crimes of murder, manslaughter, arson, rape, burglary, horse stealing, libel, perjury and forgery" ;

3 Insert after the word "pleas" in the 3d line of section 14 the words "for fines, costs and penalties."

Mr. Folk offered a substitute for section 1, as follows :

"Strike out so much as gives the Commissioners the power to hold the Court of Common Pleas, and insert 'any three Justices to be selected by a majority of all the justices shall hold the Court of Common Pleas,' " which was adopted.

Section 1 was then adopted.

Mr. Hughes offered an amendment :

Amend section 2 so as to read as follows : "Said Court of Court of Common Pleas shall be held for the respective counties four times in each year, on such days as may be determined on and fixed by a majority of the Justices of the Peace : *Provided*, That a majority of the people of the several counties shall have power to determine and declare that a less number of such Courts shall be held in their county, or that no Court of Common Pleas shall be held therein ; and in either of such cases such order shall stand until revoked by a majority of the qualified voters at an election held for that purpose : *Provided further*, That no Court of Common Pleas shall be held in any county unless so determined by the people."

The ayes and noes were ordered and the amendment lost, ayes 8, noes 33, as follows :

*Affirmative*—Messrs. Dockery, Dunn, Hughes, Mabson, Mebane of Bertie, Moore of New Hanover, Thorne and Wynne—8.

*Negative*—Messrs. Albright, Askew, Bennett, Bingham, Boddie, Caho, Crawford, Cunningham, Dortch, Ferguson, Finger, Folk, Heilig, Holt, Johnston, Justice, Latham, Liles, Mebane of Rockingham, Mercer, Moore of Mecklenburg, Nicholson, Roberts, Sandifer, Scales, Standford, Stickney, Stewart, Troy, Waddell, Williams, Wilson and York—33.

Section 2 was then adopted.

Section 3 was adopted.

Section 4 was read, and Mr. Hughes moved to strike out the section, which was lost.

Mr. Mebane, of Rockingham, moved to strike out “of the Court” in the last line. Lost.

Section 4 was then adopted.

Mr. Dunn moved to strike out section 5.

Mr. Troy raised a point of order that a motion to strike out was not in order.

The President ruled that the point was not well taken.

Upon which Mr. Troy appealed from the decision of the chair.

The ruling of the President was sustained.

Mr. Dunn’s motion was lost.

The section was then adopted.

Section 6 was adopted.

Section 7 was adopted.

Section 8 was adopted.

Section 9 was read, and Mr. Folk moved to strike out the section, which prevailed.

Mr. Folk moved to reconsider the vote by which section 9 was stricken out, which prevailed.



The section was then passed over informally.

Section 10 was adopted.

Section 11 was adopted.

Section 12 was read, and Mr. Bennett moved to amend : strike out "Clerk of Superior Court" and insert in lieu thereof "Register of Deeds." Lost.

The section was then adopted.

Section 13 was adopted.

Section 14 was read.

Mr. Hughes offered an amendment in line 8 as follows : After the word "conviction" add the words "less one-half." Lost.

Mr. Dunn offered to amend by allowing the qualified voters of counties to elect the Attorney. Lost.

Section 14 was then adopted.

Section 15 was then read.

Mr. Hughes offered an amendment : Strike out all after the word "Commissioners" in line 4. Lost.

Mr. Troy moved to strike out wherever they occur the words "Court of Common Pleas" and insert "Criminal Court."

Mr. Holt moved to recommit the whole matter to the Committee on Judiciary, which prevailed.

S. B. 410, bill to authorize Registers of Deeds to administer oaths in certain cases, on second reading.

Mr. Moore, of New Hanover, moved to recommit. Lost.

On motion of Mr. Scales, the bill was indefinitely postponed.

H. B. 338, S. B. 465. bill to secure the better drainage of the low lands of the South Yadkin river, on second reading.

Mr. Moore, of New Hanover moved to strike out "land owners" wherever it occurred. Lost.

The bill passed its second reading. Was then read third time and passed.



S. B. 173, bill in relation to the probate of deeds and conveyances and the privy examination of married women, it being the special order, was taken up.

Mr. Dortch moved to amend section 1, line 7, by striking out "or notary public." Accepted

Mr. Latham moved to strike out "Justice of the Peace" wherever it occurred.

Upon which Mr. Dunn called the ayes and noes, which were ordered and the amendment lost, ayes 13, noes 25, as follows :

*Affirmative*—Messrs. Caho, Crawford, Dockery, Dunn, Hughes, Johnston, Latham, Liles, Mebane of Bertie Moore of New Hanover, Robinson, Sandifer and Troy—13.

*Negative*—Messrs. Albright, Askew, Bennett, Bingham, Bryant, Cunningham, Dortch, Ferguson, Finger, Heilig, Holt, Justice, Mebane of Rockingham, Moore of Mecklenburg, Nicholson, Roberts, Scales, Standford, Stickney, Stewart, Thorne, Waddell, Wilson, Wynne and York—25.

Mr. Mebane, of Rockingham, moved to insert a new section as section three, which was adopted.

SEC. 3. For the purposes of this act the certificates of probate or acknowledgement shall be substantially as follows :

#### STATE OF NORTH CAROLINA :

—————County.

I, A. B. (here give name of officer, clerk, judge or justice of the peace as the case may be) do hereby certify that (here give name of grantor and if acknowledged by wife, her name and add his wife) personally appeared before me this day and acknowledged due execution of the foregoing (or annexed), deed or conveyance, (or other instrument) and (if the wife is a minor), being by me privately examined separate and apart from her said husband, touching her voluntary execution of the same doth state that she signed

the same freely and voluntarily without fear or compulsion of her said husband or any other person and that she doth still voluntarily assent thereto. Witness my hand and seal (private or official as the case may be), this (day of month) day of (month,) A. D. (year.)

Signature of officer, (seal.)

And when such proof or acknowledgement has been had or taken by a Justice of the Peace, the clerk of a court of record shall use substantially the following form of certificate

STATE OF NORTH CAROLINA.

—————County.

The foregoing (or annexed) certificate of A. B. a Justice of the Peace of ———County, is adjudged to be correct. Let the deed (or other instrument) with this certificate be registered.

Signature of Clerk, (seal). of this Court.

Mr. Liles offered to amend: Insert another section as follows:

SEC. 4. For the probate or acknowledgement of a chattle mortgage, the fee of a Justice of the Peace shall be ten cents, and for other instruments twenty cents, and the fee of any clerk of a court of record for passing upon the certificates of a Justice of the Peace, as in this act provided shall be ten cents for a chattle mortgage and twenty cents for other instruments. Adopted.

Mr. Dortch moved to amend section 2: "Strike out in lines 2 and 3 the words "by a notary public, the same shall be attested by his official seal when taken."

The amendment was accepted.



Mr. Justice moved to amend section 2 : Insert after the word "record," in line 8, the words "other than the Register of Deeds."

Mr. Ferguson offered the following as a substitute for the amendment offered by Mr. Justice: "In section 2, line 7, add after the word "Clerk," the words "of the Superior Court," and strike out the words "of some court of record," which was lost.

The amendment of Mr. Justice was accepted.

Mr. Bingham moved to adjourn.

Mr. Dortch called for the ayes and noes, which were ordered, and the Senate refused to adjourn, ayes 17, noes, 21 as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Bryant, Ferguson, Holt, Johnston, Liles, Moore of Mecklenburg, Nicholson, Robinson, Roberts, Sandifer, ewart, Waddell and Wilson—17.

*Negative*—Messrs. Boddie, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Finger, Heilig, Hughes, Justice, Latham, Mebane of Rockingham, Mercer, Scales, Standford, Stickney, Thorne, Troy, Wynne and York—21.

Mr. Standford called the previous question, which was sustained.

Mr. Troy moved to amend section 1 : Add after the word "provide," in line 5, the word "before." Lost.

Mr. Stewart moved to adjourn.

Mr. Crawford called the ayes and noes, which were ordered, and the Senate refused to adjourn, ayes 9, noes 26, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Bryant, Ferguson, Sandifer, Standford and Stewart—9.

*Negative*—Messrs. Boddie, Caho, Crawford, Cunningham, Dortch, Dockery, Dunn, Finger, Heilig, Holt, Hughes, Johnston, Justice, Latham, Mebane of Rockingham,



Moore of Mecklenburg, Nicholson, Roberts, Scales, Stickney, Thorne, Troy, Waddell, Wilson, Wynne and York—26.

Question recurring upon the passage of the bill, upon its third reading.

Mr. Mebane, of Rockingham, called the ayes and noes, which were ordered, and the bill passed its third reading, ayes 23, noes 14, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Crawford, Cunningham, Dortch, Finger, Heilig, Holt, Justice, Mebane of Rockingham, Nicholson, Roberts, Scales, Standford, Stickney, Stewart, Thorne, Waddell, Wilson, Wynne and York—23.

*Negative*—Messrs. Boddie, Bryant, Caho, Crawford, Dockery, Dunn, Ferguson, Hughes, Johnston, Latham, Moore of Mecklenburg, Robinson, Sandifer and Troy—14.

Mr. Holt moved to adjourn.

Mr. Moore, of Mecklenburg, called the yeas and noes, which were ordered, and the Senate refused to adjourn, ayes 18, noes 18, the President *pro tem* voting in the negative, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Dunn, Finger, Heilig, Holt, Justice, Mebane of Rockingham, Nicholson, Scales, Standford, Stickney, Thorne, Waddell, Wilson and York—18.

*Negative*—Mr. President, Messrs. Boddie, Bryant, Caho, Crawford, Cunningham, Dortch, Dockery, Ferguson, Hughes, Johnston, Latham, Moore of Mecklenburg, Robinson, Roberts, Sandifer, Stewart, Troy and Wynne—19.

Mr. Thorne moved to take a recess for one-half hour. Lost.

Mr. Albright moved to adjourn.

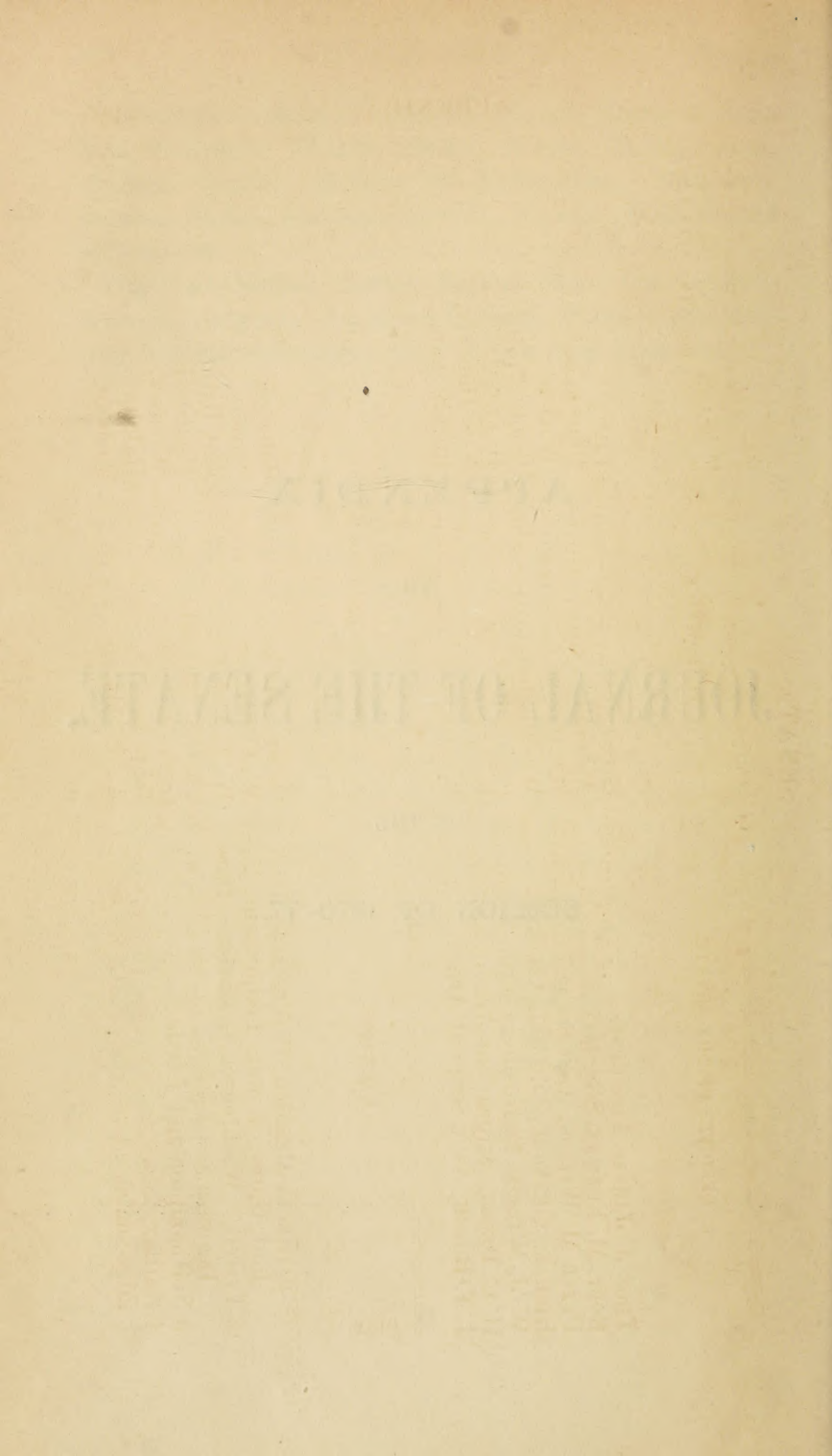
Mr. Caho called, the ayes and noes, which were ordered, and the motion prevailed, ayes 21, noes 14, as follows :

*Affirmative*—Messrs. Albright, Askew, Bennett, Bingham, Crawford, Dortch, Dunn, Finger, Heilig, Holt, Hughes, Justice, Mebane of Rockingham, Nicholson, Roberts, Scales, Stickney, Stewart, Thorne, Waddell and Wilson—21.

*Negative*—Messrs. Boddie, Bryant, Caho, Cunningham, Dockery, Ferguson, Johnston, Latham, Moore of Mecklenburg, Robinson, Sandifer, Troy, Wynne and York—14.

APPENDIX  
TO  
JOURNAL OF THE SENATE,  
OF THE  
SESSION OF 1876-'77.





# SENATE.

OFFICERS OF THE SENATE.		POST OFFICE.	COUNTY.
THOS. J. JARVIS, President,	Greenville,	Pitt.	
ROBT. M. FURMAN, Secretary,	Asheville,	Buncombe.	
PETER M. WILSON, Ass't Sec'y,	Warrenton,	Warren.	
RICHARD GRANGER, Enrolling Clerk,	Washington,	Beaufort.	
W. J. WILSON, Engrossing Clerk,	Pigeon River,	Haywood.	
H. C. BROCK, Sergeant-at-Arms,	Wilmington,	New Hanover.	
J. T. ROACH, Ass't Serg't-at-Arms,	Wentworth,	Rockingham.	
COUNTIES.		NAMES OF SENATORS.	RESIDENCES.
1 Currituck, Camden, Pesquotank, Hert-	Octavius Coke,	Edenton,	N. C.
ford, Gates, Chowan, Perquimans,	W. C. Mercer,	Currituck C. H.,	"
2 Tyrrell, Washington, Martin, Dare	W. T. Cahoon,	Bay River,	"
Beaufort and Hyde,	Charles Latham,	Plymouth,	"
3 Northampton and Bertie,	G. A. Mebane,	Windsor,	"
4 Halifax,	John Bryant,	Halifax,	"
5 Edgecombe,	W. P. Mabson,	Tarboro,	"

DIST

## SENATE—(Continued.)

DITS.	COUNTIES.	NAME OF SENATORS.	RESIDENCES.
6	Pitt, .....	J. B. Stickney, .....	Greenville, N. C.
7	Wilson, Nash and Franklin, {	H. G. Williams, .....	Wilson, "
8	Craven, .....	N. W. Boddie, .....	Nashville, "
9	Jones, Onslow and Carteret, ..	George Green, .....	Newbern, "
10	Wayne and Duplin, {	Benjamin Askew, .....	Trenton, "
11	Lenoir and Greene, .....	I. F. Dortch, .....	Goldsboro, "
12	New Hanover, .....	J. D. Stanford, .....	Kenansville, "
13	Brunswick and Bladen, .....	W. W. Dunn, .....	Kinston, "
14	Sampson, .....	W. H. Moore, .....	Wilmington, "
15	Columbus and Robeson, .....	J. N. Bennett, .....	Town Creek, "
16	Cumberland and Harnett, .....	J. L. Stewart, .....	Clinton, "
17	Johnston, .....	H. B. Short, .....	Flemmington, "
18	Wake, .....	W. C. Troy, .....	Fayetteville, "
19	Warren, .....	L. R. Waddell, .....	Smithfield, "
20	Person, Orange and Caswell, {	R. W. Wynne, .....	Neuse, "
21	Granville, .....	J. W. Thorne, .....	Ridgeway, "
22	Chatham, .....	John W. Graham, .....	Hillsboro, "
		J. W. Cunningham, .....	Cunningham's Store, "
		H. T. Hughes, .....	Oxford, "
		W. G. Albright, .....	Mud Lick, "



23	Rockingham,.....	W. N. Mebane,.....	Wentworth,	N. C.
24	Alamance and Guilford,.....	Thos. M. Holt,.....	Haw River,	"
25	Randolph and Moore,.....	J. I. Scales,.....	Greensboro,	"
26	Richmond and Montgomery,...	M. S. Robins,.....	Asheboro,	"
27	Anson and Union,.....	H. C. Dockery,.....	Rockingham,	"
28	Cabarrus and Stanley,.....	E. R. Liles,.....	Lilesville,	"
29	Mecklenburg,.....	L. G. Heilig,.....	Mt. Pleasant,	"
30	Rowan and Davie, ....	T. J. Moore,.....	Charlottesville,	"
31	Davidson,.....	W. H. Crawford,.....	Salisbury,	"
32	Stokes and Forsythe,.....	B. B. Roberts,.....	Lexington,	"
33	Surry and Yadkin,.....	T. J. Wilson .....	Winston,	"
34	Ir. dell, Wilkes and Alexander.....	John G. Marler,.....	Hamptonville,	"
35	Alleghany, Ashe and Watauga,.....	T. A. Nicholson,.....	Nicholson's Mills,	"
36	Caldwell, Burke, McDowell, Mitchell } and Yancey,.....	Tyre York,.....	Trap Hill,	"
37	Catawba and Lincoln,.....	Hervey Bingham,.....	Boone,	"
38	Gaston and Cleveland,.....	C. F. Young,.....	Burysville,	"
39	Rutherford and Polk,.....	G. N. Folk .....	Lenoir,	"
40	Buncombe and Madison,.....	S. M. Finger.....	Newton,	"
41	Haywood, Henderson and Transylvania,	R. W. Sandifer,.....	Dallas,	"
42	Jackson, Swain, Clay, Macon, Cherokee } and Graham,.....	H. M. Justice,.....	Rutherfordton,	"
		Thomas D. Johnston,.....	Asheville,	"
		G. S. Ferguson,.....	Waynesville,	"
		J. L. Robinson, .....	Franklin,	"

# JOURNAL OF JAMES W. VALE

1840-1841

I N D E X

TO

JOURNAL OF THE SENATE,

OF THE

SESSION OF 1876-'77.



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